

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.15442 of 2018
and
Crl.MP.No.7859 of 2018

Rajaram

...

Petitioner/Accused

Vs

1.State represented by
Inspector of Polioce
Manalurpet Police Station
Villupuram.

... 1st Respondent/Complainant

2.Panjali

... Respondents/Defacto Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.106 of 2018 on the file of the 1st respondent and quash the FIR.

For Petitioner : Mr.G.Arul Murugan

For Respondents : Ms.P.Kritika Kamal,
Government Advocate (Crl Side)

ORDER

This petition has been filed to call for the records in Crime No.106 of 2018 on the file of the 1st respondent and quash the FIR.

2. Heard the learned counsel for the petitioner; the learned Government Advocate (Crl. Side) appearing for the respondent and perused the materials placed on record.

3. On the complaint lodged by Panjali, the respondent police have registered a case in Crime No. 106 of 2018 on 29.03.2018 under Section 304(2) IPC and under Section 135(1)(a) of the Electricity Act, 2003 against Rajaram. For quashing

which, this petition has been filed. On a reading of the FIR, it is alleged that the petitioner is the owner of a property which was fenced with illegally tapped live electricity, on account of which, the de-facto complainant's son Muniappan died of electrocution. Hence, the FIR.

4. learned counsel for the petitioner submitted that the land in question did not belong to the petitioner and that he had sold the land as early as on 08.05.2013 to one P.Dhanabal and that the revenue records also stands in the name of P.Dhanabal.

5. In the opinion of this Court, these are disputed question of fact which cannot be gone into in a quash the proceedings. However, this Courts directs the Deputy Superintendent of Police, in charge of the Manalurpet Police Station to monitor the investigation in Crime No. 106 of 2018 and if it is found that the petitioner was not responsible for the incident, it is needless to state that further action against the petitioner should be dropped.

. With the above direction, this petition is closed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS VI)

//True copy//

Sub Assistant Registrar

gmd/gya

To

1. Inspector of Polioce
Manalurpet Police Station
Villupuram.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.ArulMurugan, Advocate SR.No.37364

Cr1.O.P.No.15442 of 2018

GN(26/06/2018)