

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25055 of 2018

A.Prabakaran

..Petitioner

Vs

1.The Inspector of Police,
Anandapuram Police Station,
Villupuram District.

2.Thangavelu

..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the FIR from the Judicial Magistrate of Gingee Taluk
Villupuram District in case Cr.No.253/2018 on the file of the
Anandapuram Police Station and quash the same.

For Petitioner : Mr.P.Thirumalai

For Respondents : Ms.M.Prabhavathi, (For R1)
Additional Public Prosecutor

O R D E R

On the complaint lodged by the Thangavelu, the respondent
police have registered a case in Crime No.253/2018 on 04.07.2018
under Sections 294(b), 323, 324, 379 and 506(2) IPC against
Vincent @ Prapakaran, son of Aathithya and two others, for
quashing which the petitioner is before this Court.

2.Heard the learned counsel for the accused and learned
Additional Public Prosecutor for the 1st respondent.

3.The learned counsel for the petitioner submitted that the
de facto complainant is a rowdy element and that A1 is a law
student and press reporter, who has been falsely implicated in
this case.

3.However, on a reading of the First Information Report, it
is seen that the de facto complainant was assaulted by A1 on the
face and abused. He has also attacked the de facto complainant

with an iron rod and therefore Section 324 IPC has been clamped. Thus, when there are prima facie materials in the First Information Report, the same cannot be quashed in the light of the law laid down by the Hon'ble Supreme Court in State of Haryana Vs. Bhajan Lal & Others [AIR 1992 SC 604].

In the result, this petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

gsa

To

1.The Inspector of Police,
Anandapuram Police Station,
Villupuram District.

2.The Judicial Magistrate
Gingee Taluk,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Thirumalai, Advocate, S.R.No.73398

CRL.O.P.No.25055 of 2018

NA(CO)

rrs 20/11/2018

सत्यमेव जयते

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