

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.11.2018
CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.25846 of 2018

S.Kumar

... Petitioner

-vs-

State Rep by
The Inspector of Police,
CSCID Kancheepuram Police Station,
Kancheepuram.
(Crime No.35 of 2015)

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to Crime No.35 of 2015 on the file of the Respondent Police and quash the FIR in respect of Petitioner/A2.

For Petitioner : Mr.R.Sampathkumar
For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking to quash the F.I.R. in Crime No.35 of 2015, pending on the file of the respondent Police.

2.The petitioner has been arrayed as A2. The respondent Police have registered a F.I.R., as against nine persons for the offence under Section 6(4) of TNSC(RDCS) order 1982 r/w 7(1)a(ii) of E.C.Act 1955, in Crime No.35 of 2015.

3.The learned counsel for the petitioner would submit that the petitioner is no way involved in the case and his name has been unnecessarily roped in as an accused person. According to the learned counsel for the petitioner, the petitioner is presently working as a B.T. Assistant in Government Adhi Dravidar Welfare High School at Nirumbur in Kancheepuram District. This incident is said to have taken place in the year 2015. Therefore, according to the learned counsel for the petitioner, the pendency of this

has been falsely implicated in this case by the respondent Police.

4.The learned Additional Public Prosecutor would submit that the respondent Police have completed the investigation and the final report is ready to be filed before the concerned jurisdictional Court. Therefore, the learned Additional Public Prosecutor would submit that this Court should not interfere with the F.I.R., at this stage.

6.In the facts and circumstances of the case, this Court is not inclined to interfere with the F.I.R., at this stage. Now, that the respondent Police has completed the investigation, the respondent Police is directed to file a final report within a period of two weeks from the date of receipt of copy of this order. However, liberty is granted to the petitioner to challenge the final report, if he is being made as an accused and if he is so advised.

7. Accordingly, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar(Ccc)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
CSCID Kancheepuram Police Station,
Kancheepuram.
(Crime No.35 of 2015)

- 2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Sampathkumar , Advocate SR.No. 76988

Cr1.O.P.No.25846 of 2018

ASK(05/12/2018)