

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 16.11.2018

CORAM
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26646 of 2018
and
Crl.M.P.No.15337 of 2018

1.Satheesh
2.Mahesh
3.Manikandan

...Petitioners

-Vs-

1.State rep. by its,
The Inspector of Police,
Kolathur Police Station,
Salem District.
(Crime No.198 of 2018)

2.Kaliyammal

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the proceedings of the FIR in Crime No.198 of 2018 on the file of the Inspector of Police, Kolathur Police Station, Salem District to quash the same.

For Petitioner : Mr.M.Senthilkumar

For Respondent : Mr.C.Raghavan
Government Advocate (Crl.side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.198 of 2018. The petitioners are arrayed as A6 to A8 in the FIR.

2. The learned counsel for the petitioner would submit that there is absolutely no caste name that has been uttered in the place of occurrence and the same is also not reflected in the complaint. Therefore, no case has been made out for the offence under the SC/ST Act.

3. The learned counsel would further submit that there is a counter complaint that has been registered by the respondent police against the de-facto complaint in Crime No.195 of 2018 for offence under Section 307 of IPC.

4. This Court does not want to interfere with the FIR at this stage. Admittedly, the same police is investigating both the FIRs. Therefore, there shall be a direction to the first respondent to complete the investigation and file a report in both the FIRs within a period of two months from the date of receipt of a copy of this order.

5. With the above direction this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsa

To

- 1.The Inspector of Police,
Kolathur Police Station,
Salem District.
- 2.The Additional Public Prosecutor,
High Court, Madras.

Crl.O.P.No.26646 of 2018
and
Crl.M.P.No.15337 of 2018

RJ-I (CO)

rrs 07/12/2018

सत्यमेव जयते
WEB COPY