



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 26.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.27373 of 2018

and

Crl.M.P.No.15786 of 2018

1. Ramesh
2. Sankaran
3. Thanagraji

... Petitioners

Vs.

1. The State Rep by its
Sub Inspector of Police,
Magudamchavadi Police Station,
Salem District.

2. Varatharajan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Cr.No.408 of 2017 on the file of the first respondent and quash the same.

For Petitioners : Mr.M.P.Velayutham

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

ORDER

This petition has been filed seeking to quash the FIR in Cr.No.408 of 2017, pending on the file of the first respondent.

2. The petitioners are accused 8, 3 and 4. FIR has been registered against the 14 accused persons for offences under Sections 147, 447, 341, 294 (b) and 506 (1) IPC. The learned counsel for the petitioner would submit that the entire complaint is false and the defacto complainant has given the false complaint only because of the previous enmity. The learned counsel would further submit that the first petitioner was not even present in the scene of occurrence, when the alleged offence is said to have taken place. The learned counsel would further submit that the second petitioner is the



wife of the Chairman and the third petitioner is the wife of the Secretary and already there are civil dispute pending with regard to the administration of the School.

3. The grounds that have been raised by the learned counsel for the petitioners are factual in nature and the same has to be taken into consideration only by the respondent police in the course of investigation. The respondent police is already investigating the case and this Court has to necessarily go by the allegation in the FIR. The real truth will have to be found out only by the respondent police during investigation. This Court is not in a position to interfere with the investigation at this stage.

4. This Criminal Original Petition is disposed of with a direction to the first respondent police to complete the investigation within a period of two months and file a final report or a closure report as the case may be before the concerned Court. Consequently, connected miscellaneous petition is closed.

-s/d-
Deputy Registrar

True Copy

Sub-Assistant Registrar

dss
To

1. The Sub Inspector of Police,
Magudamchavadi Police Station,
Salem District.
2. The Public Prosecutor,
Madras High Court

Cr1.O.P.No.27373 of 2018

SP(10/12/2018)