

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.28770 of 2018  
and CRL.M.P.No.16795 of 2018

1. S.Alagiri  
2. C.Selladurai ... Petitioners

-vs-

1. The Inspector of Police,  
Omalur Police Station,  
Omalur Taluk, Salem District.  
2. P.Nallathambi ... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure to call for the records in pursuant to FIR No.468 of 2013 dated 05.07.2013 on the file of respondent police and quash the same in respect of petitioner alone.

For Petitioners: Mr.M.Elango

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

ORDER

This petition has been filed seeking to quash the FIR in Crime No.468 of 2013.

2.The FIR has been registered for an offence under Sections 294(B) and 324 of IPC r/w 3(1) of TNPTDL Act, by the first respondent Police.

2. The learned counsel for the petitioner would submit that till date, no final report has been filed for the offence under Sections 294(B) and 324 of IPC and therefore it will be barred under Section 468 of Cr.P.C. Insofar as Section 3(1) of TNPPDL Act concerned, there is a prima facie material that the flex board itself was only removed by the Omalur Town Panchayat, Salem District. For this purpose, the learned counsel relied on the information that was obtained under RTI Act, dated 17.09.2013. Therefore, the learned counsel for the petitioner would submit that the entire case is false.

3.This FIR has been registered in the year 2013. The learned Additional Public Prosecutor would submit that a final report or a closure report as the case may be, will be filed within a period of one month.

4.This Court is not inclined to interfere with the investigation at this stage.

5. The Criminal Original Petition is disposed of with a direction to the 1<sup>st</sup> respondent Police to complete the investigation and file a final report or a closure report as the case may be, within a period of one month from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

s/d-  
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

ssr/kal

To

1. The Inspector of Police,  
Omalur Police Station,  
Omalur Taluk, Salem District.

2. The Public Prosecutor,  
High Court, Madras.

+1 CC to Mr.M.Elango, Advocate sr 87718.

CRL.O.P.No.28770 of 2018  
and CRL.M.P.No.16795 of 2018

SP(08/01/2019)

सत्यमेव जयते

WEB COPY