

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.30068 of 2018
and Cr1.M.P.No.17676 of 2018

Gandeeban

...Petitioner / Accused

-Vs-

1. State rep by
The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.

2. M.Ravi

...Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records and quash the FIR in Crime No.180 of 2018 on 16.03.2018 registered by the respondent police.

For Petitioner : Mr.R.C.Paul Kanakaraj

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

ORDER

The petition has been filed seeking to quash the FIR in Crime No.180 of 2018 pending on the file of the respondent police.

2. The learned counsel for the petitioner would submit that the petitioner was attacked by the defacto complainant and complaint was given by the petitioner and an FIR was registered in Crime No.179 of 2018. Immediately the 2nd respondent also gave a false complaint against the petitioner and the same was also registered by the respondent police in Crime No.180 of 2018. Therefore there is a case and counter being investigated by the respondent police. The learned counsel would submit that the entire complaint given by the 2nd respondent is false and has been given only as a counter blast for the earlier complaint given by this petitioner.

3. Admittedly, in this case there is a case and counter case and both the FIR's will have to be necessarily investigated by the respondent police in order to find out, who is real aggressor and file a final report as against the accused person.

4. This Court is not inclined to interfere with the investigation at this stage. The Criminal Original Petition is disposed of with a direction to the respondent police to investigate Crime No.179 of 2018 and Crime No.180 of 2018 and file a final report as against the real aggressor, within a period of one month from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.30068 of 2018
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EV(CO)
SSM(11/01/2019)