



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAMCrl.O.P.(MD) No.3308 of 2018andCrl.M.P.(MD) No.1546 of 2018

Rajesh @ Wesly

... Petitioner/ Sole accused

-Vs-

1.State of Tamil Nadu Rep. by
The Inspector of Police,
Panangudi Police Station,
Tirunelveli District.
(FIR Crime No.543 of 2017)

...Respondent No.1/Complainant

2.Arun Raja
S/o.Not Known,
Sub Inspector of Police,
Panangudi Police Station,
Tirunelveli District.

...Respondent No.2/ Defacto
Complainant

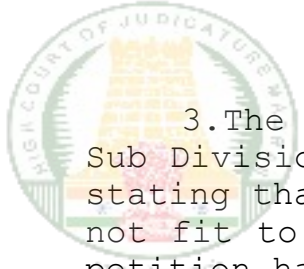
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining and to quash the FIR in Crime No.543 of 2017 dated 24.12.2017 registered on the file of first respondent police under alleged Section 110(e) and 110(f) of Cr.P.C.

For Petitioner : Mr.P.M.Vishnuvarthanan

For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)**ORDER**

This Criminal Original Petition has been filed by the petitioner/sole accused to quash the First Information Report in Crime No.543 2017 on the file of the first respondent police.

2.The learned counsel for the petitioner has submitted that under Section 154 Cr.P.C the First Information Report can be registered only with regard to the cognizable offence, whereas, the first respondent has registered the First Information Report under Sections 110(e) and 110(f) Cr.P.C and that is not permissible under the law.



3.The learned Government Advocate (Crl.side) has submitted that Sub Divisional Executive Magistrate passed an order dated 18.01.2018 stating that the First Information Report in Crime No.543 of 2016 is not fit to proceed further under Section 110 Cr.P.C and hence, this petition has become infructuous.

4.Recording the aforesaid submissions, this Criminal Original petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Panangudi Police Station,
Tirunelveli District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD) No.3308 of 2018
06.03.2018

cp

MS/SV-MMS/SAR-1/27.03.2018/2P.3C