



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.1867 of 2016
and
Crl.M.P.(MD).No.953 of 2016

WEB COPY

S.Vishnu Prasad

: Petitioner

Vs.

1.State represented by its

The Inspector of Police,
City Crime Branch, Cantonment,
Trichy District.

(Crime No.20 of 2015)

: Respondent / Complainant

2.Senthil Arasu

: Respondent / De facto

Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the First Information Report in Crime No.20 of 2015 dated 27.09.2015 on the file of the Respondent No.1 and quash the same so far as the petitioner is concerned.

For Petitioner

: Mr.T.Lajapathi Roy

For R1

: Mr.M.Chandra Sekaran

Additional Public Prosecutor

For R2

: Mr.V.Ilanchezian

ORDER

This Petition has been filed by the petitioner who is arrayed as Accused No.6 in Crime No.20 of 2015.

2.A reading of the entire First Information Report clearly shows that the second respondent speaks about the money spent for Accused No.1, who is his wife and also alleges specific overtacts against Accused Nos.2 to 5. However, insofar as the petitioner is concerned, allegation that has been made against him is that when the second respondent and his wife lived in Australia, they lived in the house of the petitioner and the further allegation is that the wife of the second respondent is under the control of Accused No.6.

3.A reading of the entire First Information Report does not make out any offence against the petitioner, who has been arrayed as Accused No.6. The main grievance of the second respondent is only against Accused Nos.1 to 5 and Accused No.6 has been unnecessarily roped in this complaint.



4.This Court does not find any offence made out as against the present petitioner. Therefore, First Information Report stands quashed insofar as this petitioner / accused no.6 is concerned. This Criminal Original Petition shall stand allowed and it is made clear that quashing of the First Information Report insofar as the sixth accused is concerned will not have any barring on the complaint that has been given against the Accused Nos.1 to 5 and the first respondent can proceed to investigate the case as against other accused persons and file a final report as expeditiously as possible. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub Assistant Registrar(CS-II)

tsg

To

1.The Inspector of Police,
City Crime Branch, Cantonment,
Trichy District.

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

+1cc to Mr.T.Lajapathi Roy, Advocate in SR No.84150

+1cc to Mr.V.Ilanchezian, Advocate in SR No.84268

Cr1.O.P.[MD].No.1867 of 2016

NM/RSK/SAR II/09.11.18/2P/5C.