



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.19213 of 2018

and

Cr1.M.P.[MD].No.8646 of 2018

1.G.Nallusamy

2.G.Ayyappan

3.P.Kumar

: Petitioners/Accused No.1,2 and 8

Vs.

1.State Represented by

The Inspector of Police,
Thalavaipuram Police Station,
Thalavaipuram Post,
Rajapalayam Taluk,
Viruthunagar District.

: Respondent/Complainant

2.Muthulakshmi

: Respondent/De-facto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of the First Information Report in Crime No.341 of 2018, from the respondent/complainant police, Thalavaipuram Police Station and quash the same as against the petitioners.

For Petitioners : Mr.A.S.Amirtharaj

For R-1 : Mr.S.Bharathi

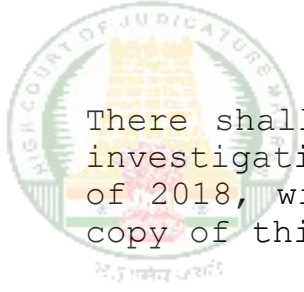
Government Advocate[Cr1. Side]

ORDER

The Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.341 of 2018, pending on the file of the first respondent.

2. The learned counsel for the petitioner would submit that there is a counter case pending before the very same police in Crime No.340 of 2018. He would further submit that this false case has been given only to escape from the case already registered against the son of the de-facto complainant in Crime No.340 of 2018.

3. The learned Government Advocate (Criminal side) on instructions would submit that the first respondent police is investigating both the case and counter case. He would further submit that at this stage, this Court should not interfere with the investigation in Crime No.340 of 2018. This Court is of the considered view, that the case and counter case has to be investigated by the very same police officer and the investigation is pending. Therefore, this Court cannot interfere in one of the First Information Report pending before the respondent police.



There shall be a direction to the first respondent to complete the investigation and file a final report in both Crime Nos.340 and 341 of 2018, within a period of four months from the date of receipt of copy of this order.

4. The Criminal Original Petition is disposed of with the above directions. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Inspector of Police,
Thalavaipuram Police Station,
Thalavaipuram Post,
Rajapalayam Taluk,
Viruthunagar District.

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

• 1 CC TO Mr.L.PRABHU , ADVOCATE IN SR No.92553.

SJI

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