



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD) No.11402 of 2018

and

Crl.M.P.(MD)No. 5186 of 2018

Rajavimal Singh ... Petitioner/Accused No.1
Vs.

1.State represented by
The Inspector of Police,
Manavalakurichi Police Station,
Kanyakumari District.
(Crime No.62 of 2018) ... 1st Respondent/Complainant

2.P.Tiju ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records relating to the Crime No. 62 of 2018 on the file of the first respondent police and quash the same against the petitioner as illegal.

For Petitioner	: Mr.PR Boomee Rajan
For Respondent	: Mr.Prabhu Ramachandran,
No.1	Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to call for the records relating to the Crime No. 62 of 2018 on the file of the first respondent police and quash the same as illegal.

2.According to the learned counsel for the petitioner, a complaint was preferred by the second respondent, on the basis of the complaint, a case has been registered in Crime No.62 of 2018 by the first respondent herein. Due to the previous enmity, the petitioner has been wrongly implicated in the said criminal case. No service summons placed to prove that the defacto complainant was sustained injuries. Therefore, the petitioner filed this present



Criminal Original Petition, to quash the impugned First Information Report.

3.The learned Government Advocate (Criminal side) submitted that the investigation is still pending and there is no grounds to quash the impugned proceedings. At the investigation stage, the impugned FIR proceedings cannot be challenged. Therefore, the present Criminal Original Petition is filed by the petitioner at the premature stage.

4.By considering the submissions of both parties, no ground has been raised to interfere with the impugned proceedings to stall the investigation process. Therefore, this Court cannot entertain this Criminal Original Petition, on request of the petitioner, the first respondent is directed to complete the investigation and submit the final report within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar(CS-3)

To

1. The Inspector of Police,
Manavalakurichi Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to Mr.PR.BOOMEERAJAN, Advocate in SR.No.72886

PNN

RJ/RP/SAR-3/24/07/2018 - 2P/5C

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