



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

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CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.16992 of 2018
and
Crl.M.P(MD)No.7510 of 2018

M.Chandrakumar : Petitioner/Accused No.1
Vs.

1.State represented by
The Inspector of Police,
District Crime Branch,
Karur District.
(Crime No.3 of 2017) : Respondent/Complainant

2.P.Samdharman : Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the Crime No.3 of 2017 pending investigation on the file of the 1st respondent and to quash the same.

For Petitioner : Mr.M.R.Sreenivasan
For 1st Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Criminal Side)

ORDER

This Criminal Original petition has been filed seeking to quash the F.I.R., in Crime No.3 of 2017 pending investigation on the file of the first respondent police.

2. A reading of the F.I.R., makes out a *prima facie* case against the petitioner. This is not a fit case, where this Court can exercise its jurisdiction under Section 482 Cr.P.C, to quash the First Information Report.

3.The learned counsel for the petitioner is placing reliance upon a lot of documents in order to defend the case of the petitioner. When a court considers a petition for quashing F.I.R, the Court cannot conduct the mini investigation and find out the truth or otherwise of all allegations made in the complaint.

4.The Court has to merely go by the allegation as found in the complaint. The other facts raised by the petitioner is something which, the respondent police will have to investigate and get to the truth.



5. This Court finds no merits in this petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar (Crl Side)

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/True copy/

Sub Assistant Registrar (CS-I)

To

1. The Inspector of Police,
District Crime Branch,
Karur District.

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

+1cc to Mr. R. SREENIVASAN, Advocate, SR.No.86053

Crl.O.P. [MD] .No.16992 of 2018
24.09.2018

DAS

KK/RSK/SAR-1/23.10.2018/2P-4C