



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P. (MD) No.17369 of 2018

and

Cr1.M.P. (MD) .Nos.7675 & 7676 of 2018

1.Santhana Krishnan
2.Nithya Kala
3.Vasakarani

.. Petitioners/Accused No.2 to 4

-Vs-

1.The Inspector of Police,
Oomatchikulam Police Station, Madurai District.
(In Crime No.632 of 2012) .. 1st Respondent/Complainant

2.Manohar .. 2nd Respondent/Defacto complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for records pertaining to the impugned charge sheet in C.C.No.146 of 2016 pending on the file of the learned Judicial Magistrate No.V, Madurai and quash the same.

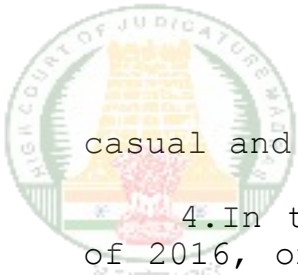
For Petitioners : Mr.P.Senguttuarasan
For Respondents : Mr.M.Chandra Sekaran for R1
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.146 of 2016 pending on the file of the Judicial Magistrate No.V, Madurai.

2.It is seen from the records that the defacto complainant has already filed an affidavit before the Judicial Magistrate No.II, Madurai, to the effect that the petitioners herein have nothing to do with the alleged offences and their name has been unnecessarily added in the FIR. Based on the affidavit filed by the second respondent, the learned Judicial Magistrate No.II, Madurai, has also forwarded the same to the Inspector of Police, Oomatchikulam Police Station, on 22.01.2013. In respect of the same, the respondent police have proceeded to file a final report by adding these petitioners also as accused persons.

3.In the considered view of this Court, it clearly amounts to abuse of process of court and the reckless attitude of the police in not even verifying the records and filing final report in a



casual and irresponsible manner.

4. In the facts and circumstances of the case, the C.C.No.146 of 2016, on the file of the Judicial Magistrate No.V, Madurai, is hereby quashed.

5. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1. The Judicial Magistrate No.V, Madurai.
2. The Inspector of Police,
Oomatchikulam Police Station, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC To MR.P.SENGUTTUARASAN, Advocate SR. NO. 88359

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