

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.742 of 2019

and

Cr1.M.P.No.483 of 2019

1.R.Loganathan

2.Rangarasu

3.Vanja

: Petitioners

Vs.

1.State rep by
The Inspector of Police,
All Women's Police Station,
Coonoor, Nilgiris District.

2.Helen Margret

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records comprised in FIR in Crime No.2 of 2010 pending on the file of the Inspector Police, All Women's Police Station, Coonoor, Nilgiris District and quash the same against petitioners/Accused 1 to 3.

For Petitioners : Mr.Vimal B Crimson

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

ORDER

This petition has been filed seeking to quash the FIR in Crime No.2 of 2010.

2.Initially the FIR was registered as against ten accused persons for an offence under Sections 120(b), 323, 354, 376, 420, 493 and 506(ii) of I.P.C. A2 to A10 approached this Court seeking to quash the FIR and this Court by an order dated 23.09.2016 made in Cr1.O.P.No.16441 of 2010, quashed the FIR insofar as A4, A5, A6, A7, A8, A9 and A10 are concerned and dismissed the petition insofar as A2 and A3 are concerned.

3.The learned counsel for the petitioners would submit that the FIR itself was altered on 09.02.2015 for an offence under Section 417 r/w 109 of I.P.C. The learned counsel for the

petitioners would further submit that this development was not brought to the notice of this Court at the time when the aforesaid criminal original petition was decided in the year 2016. The learned counsel would further submit that the grievance of the second respondent was that the first petitioner after having love affair with the second respondent did not marry the second respondent. Now the second respondent herself got married in the year 2015 itself. Therefore, the learned counsel would submit that the entire dispute has become stale and unnecessarily the FIR is kept pending for the last nine years as against these petitioners.

4.The FIR has been registered in this case in the year 2010. Subsequently, It has been altered in the year 2015. It is also seen that the second respondent has married another person in the year 2015 itself. These factors will have to be taken into consideration by the first respondent police at the time of investigation. This Court does not want to interfere with the investigation at this stage.

5.This Criminal Original Petition is disposed of with a direction to the first respondent police to complete the investigation and file a final report or a closure report as the case may be, within a period of one month from date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

ia/vsg1

To :

1. The Inspector of Police,
All Women Police Station,
Coonoor, Nilgiris District.

2. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S. Vimal B. Crimson, Advocate sr 3182

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SP(31/01/2019)