

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2019

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.952 of 2019
and Crl.M.P.No.633 of 2019

P.Kumar

... Petitioner/Accused

Vs.

The State rep by,
The Inspector of Police
Kannankurichi Police Station,
Salem City.
(Crime.No.682 of 2018)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to call for the records and quash the FIR.No.682 of 2018 on the file of the respondent.

For Petitioner : Mr.M.Mohamed Saifulla

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.682 of 2018, pending on the file of the respondent police.

2. The respondent police have registered an FIR against the petitioner for an offence under Section 7(1)(a) of Criminal Amendment Act.

3. It is seen that the informant and the investigator is the same police officer viz., The Sub-Inspector of Police. The final report has also been filed by the very same officer. Therefore, the entire investigation is vitiated.

4. The facts of the case are squarely covered by the Hon'ble Supreme Court in Mohanlal Vs.State of Punjab reported in 2018 SCC online SC, 974.

5. In the result, the FIR.No.682 of 2018 on the file of the respondent police is hereby quashed and accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

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Sub Assistant Registrar

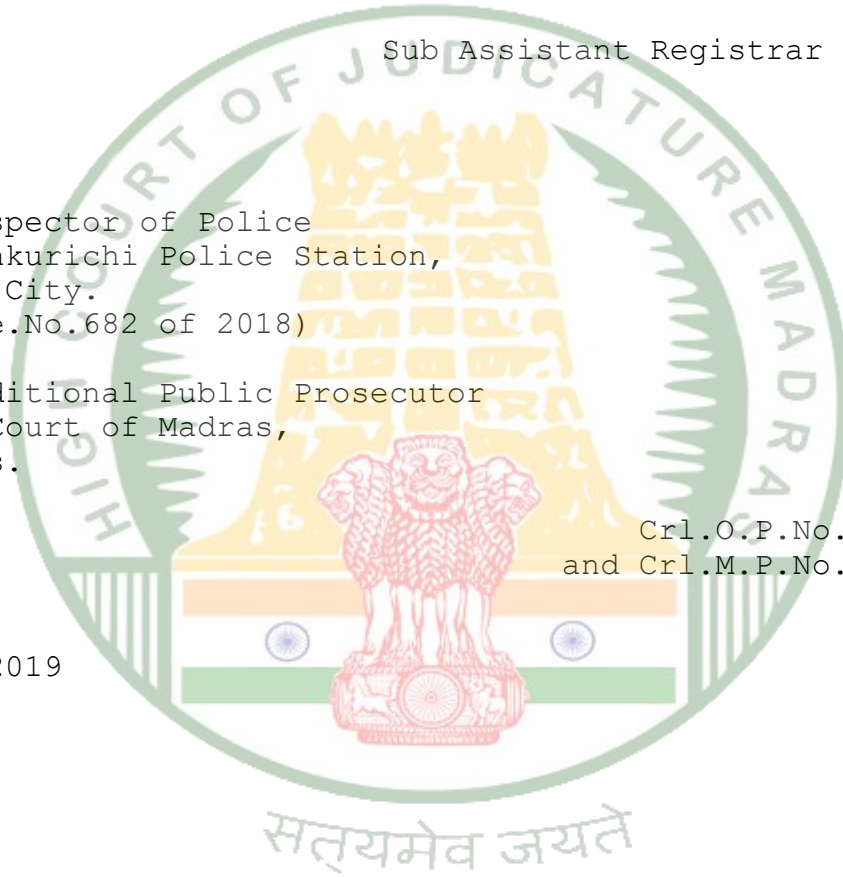
kal/msrm

To

1. The Inspector of Police
Kannankurichi Police Station,
Salem City.
(Crime.No.682 of 2018)
2. The Additional Public Prosecutor
High Court of Madras,
Madras.

CrI.O.P.No.952 of 2019
and CrI.M.P.No.633 of 2019

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