

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.2744 of 2019

Chidhambaram

... Petitioner

Vs.

1. State represented by,
The Inspector of Police,
Salavakkam Police Station,
Kancheepuram District.

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.131 of 2018 on the file of Inspector of Police, Salavakkam Police Station, Kancheepuram District and quash the same.

For Petitioner : Mr.J.Milton Arul Rajendran

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

O R D E R

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.131 of 2018 on the file of the respondent police.

2. The learned Additional Public Prosecutor on instructions submitted that final report has been filed and the same has been taken on the file in CC.No.116 of 2018 on the file of Judicial Magistrate Uthiramerur, Kancheepuram District.

3. It is seen that the informant and the investigator is the same police officer and therefore, the entire investigation is vitiated. The facts of this case is squarely covered the decision of the Hon'ble Supreme Court of India in Mohanlal Vs.State of Punjab reported in 2018 SCC online SC, 974.

4. In view of the above the proceedings in CC.No.116 of 2018 on the file of Judicial Magistrate Uthiramerur, Kancheepuram District, is hereby quashed.

5. Accordingly, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mpa

To

1. The Inspector of Police,
Salavakkam Police Station,
Kancheepuram District.
2. The Public Prosecutor,
High Court of Madras.
3. The Judicial Magistrate,
Uthiramerur,
Kancheepuram District.

+1cc to Mr.J.Milton Arul Rajendran, Advocate, S.R.No.8738

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AK(Co)
CS/06/03/2019



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