

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.02.2019
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
CRL.O.P.No.3675 of 2019
and
CRL.M.P.No.2292 of 2019

G.Srinivasan

...Petitioner

Vs.

The State of Tamil Nadu
Rep. by Inspector of Police
V6, Police Station
Kolathur, Chennai 600 099

...Respondent

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the FIR Cr.No.770/18 on the file of V6, Police Station, Kolathur, Chennai, if pending against the petitioner.

For Petitioner : Mr.B.Sri Krishnan

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

O R D E R

This Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the FIR in Crime No.770/18 on the file of V6, Police Station, Kolathur, Chennai, if pending against the petitioner.

2.The learned counsel appearing for the petitioner would submit that the petitioner has not arrayed as an accused in the F.I.R. There is no specific averment in the F.I.R. as against the petitioner. The petitioner is not the named accused in the F.I.R. The petitioner's brother was taken up by the respondent police for enquiry to know whether the petitioner is illegally possessing any narcotic substances. On his return he informed the petitioner that he will be arrested at any time. Hence, the petitioner approached this Court for anticipatory bail wherein it was stated by the prosecution that the petitioner is A2. Hence, the petitioner has filed the present petition seeking to quash the FIR No.770 of 2018 on the file of V6, Police Station, Kolathur, Chennai-600 099.

3.The learned Additional Public Prosecutor would submit that the petitioner has also involved in this offence and they are waiting for the chemical report of the substances recovered from the named accused. The respondent police is investigating in this matter. They have also enquired other witnesses and yet to receive the chemical report from the concerned laboratory to file a final report in this regard.

4.Heard the learned counsel on either side.

5.In view of the above, since, the petitioner is not the named accused in this case, this Court is not inclined to quash the F.I.R. as against the petitioner. Accordingly, this Criminal Original Petition stands dismissed. The petitioner is at liberty to challenge the final report once it is filed by the respondent police against the petitioner. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
V6, Police Station
Kolathur, Chennai 600 099

2.The Public Prosecutor
High Court, Madras.

+2cc to Mr.B.Sri Krishnan , Advocate SR.No. 12476

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A.SK(11/03/2019)

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