

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2019

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.2270 of 2019

and

Crl.M.P.No.1487 of 2019

Mr.K.M.Krishna

... Petitioner/Accused

Vs.

1.The State;

Represented by its Inspector of Police,
S2, * **AIRPORT** Police Station,
[Crime No.6 of 2019]
Meenambakkam, Chennai.

...1st Respondent/Respondent

2. M.C.Vasanthan,

Inspector/Exe, Floor I/C,
CISF, Chennai Airport,
Chennai-600 027.

... 2nd Respondent/
Defacto Complainant

Prayer:

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of FIR in Crime No.6 of 2019 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.S.Veeraraghavan

For Respondent-1 : 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.6 of 2019 pending on the file of the first respondent police.

2.This complaint has been given by the second respondent (CISF) personnel at Chennai Airport, on the ground that the petitioner had entered into the Terminal without holding a valid ticket on 16.01.2019 and it is also alleged that the ticket of the petitioner was cancelled two days prior to 16.01.2019. Based on the complaint given by the second respondent, the first respondent has registered an FIR for the offences under Sections 447 and 471 of IPC.

3.The learned counsel appearing for the petitioner submitted that he had gone to the Airport only to help his wife and his children who were travelling from Chennai to Bombay. The learned counsel further submitted that if the petitioner had intended to travel with the false ticket, there was no requirement for the petitioner to return through the Exit Gate. The learned counsel further submitted that he had given an apology letter to the respondent police on 16.01.2019 stating that he was not aware about the Rules prevailing in the Airport, since he was an NRI.

4.Going by the allegations made in the FIR, this Court is of the considered view that the petitioner committed a mistake in entering into the Terminal and he had realized his mistake and given an apology letter to the respondent police. That apart, the petitioner had entered into the Terminal only to help his wife and his children who were leaving from Chennai to Bombay. Therefore, the continuation of the prosecution against the petitioner will be an abuse of process of law.

5.In the result, the FIR in Crime No.6 of 2019, pending on the file of the first respondent police is hereby quashed and accordingly, the Criminal Original Petition is allowed. Consequently, connected Criminal Miscellaneous Petition No.1487 of 2019 is closed.

Sd/-

Assistant Registrar(CS VIII)

Dated: 05/02/2019

*** Corrected as per Order of this Court**

Dated 14/02/2019 made in

Crl.M.P.No.2483/2019 in

Crl.Op.No. 2270/2019

Sd/- Assistant Registrar (CS VI)

Dated: 18/02/2019

//True Copy//

Sub Assistant Registrar

msm

To

1.The State;
Represented by its Inspector of Police,
S2, * **AIRPORT** Police Station,
[Crime No.6 of 2019]

2.The Additional Public Prosecutor
High Court of Madras,
Madras.

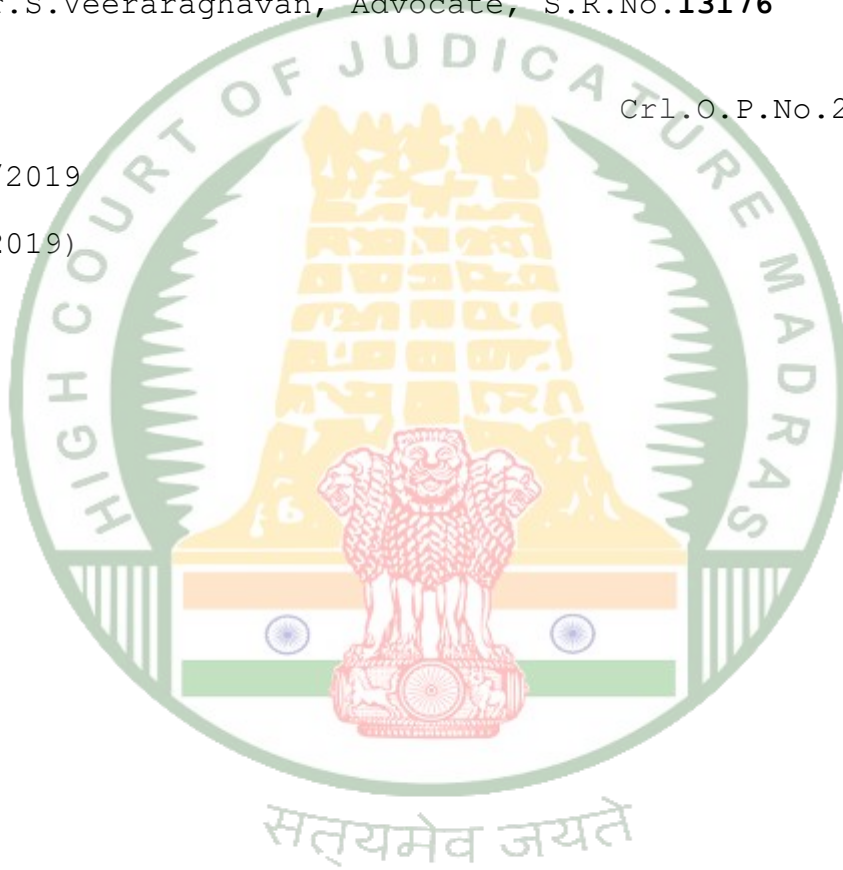
Corrected order to
be substituted to
the Order already
despatched on
11/12/2016

+lcc to Mr.S.Veeraraghavan, Advocate, S.R.No.**13176**

Crl.O.P.No.2270 of 2019

rrs 05/02/2019

GN(18/02/2019)



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