

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4302 of 2016

N.MuniReddy

... Petitioner/A Party No.2

Vs.

1. State by The Inspector of Police,
Bhagalur Police Station,
Krishnagiri District ... 1st Respondent/Complainant

2. C.Venkatesa Moorthy
... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records and quash the first information report registered in Crime No.61 of 2016 pending investigation on the file of the first respondent.

For Petitioner : No Appearance

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

: No Appearance for R2

O R D E R

This petition has been filed to quash the FIR in Crime No.61 of 2016 on the file of the first respondent police, for offences under Section 145 Cr.P.C., as against the petitioner.

2. It is seen that crime has been registered for the offence under Section 147 Cr.P.C. It is also seen that no FIR can be registered under Section 147 Cr.P.C. If there is any dispute between two groups, the particular respondent Police can refer the matter to take appropriate action under Section 147 Cr.P.C. before the Executive Magistrate as such the charge cannot be sustained as against the petitioner and it is a clear abuse of process of law.

3. In view of the above discussions, this Criminal Original Petition is allowed and the proceedings in Crime No.61 of 2016 on the file of the first respondent is quashed.

Sd/-
Deputy Registrar(CS)

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Sub Assistant Registrar

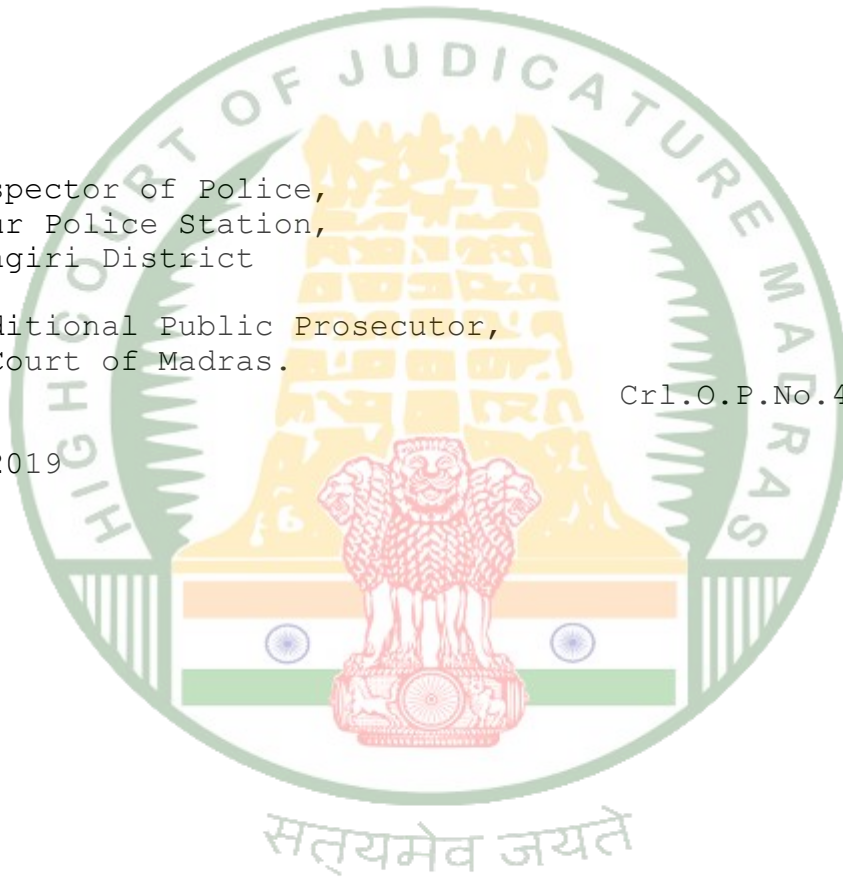
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To

1. The Inspector of Police,
Bhagalur Police Station,
Krishnagiri District
2. The Additional Public Prosecutor,
High Court of Madras.

Crl.O.P.No.4302 of 2016

NR 09/05/2019



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