

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4949 of 2019 and
Crl.M.P.No.2897 of 2019

Sivakumar ... Petitioner / Sole Accused

Vs.

1.State: The Inspector of Police,
Bhavanisagar Police Station,
Erode District. ... 1st Respondent /
Complainant

2.Sakthi ... 2nd Respondent /
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records and quash the case pending in
Cr.No.287 of 2018 on the file of the Inspector of Police,
Bhavanisagar Police Station, Erode District.

For Petitioner : Mr.R.P.Murugan Raja

For 1st Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to quash the
F.I.R in Crime No.287 of 2018 on the file of the respondent
Police.

2.The learned counsel for the petitioner would submit that
on 15.03.2018, the petitioner driven the vehicle in a rash and
negligent manner and hitted the 2nd respondent's son, based on
which, the 2nd respondent gave the complaint before the 1st
respondent Police and the same is registered in Crime No.287 of
2018 for the offence under Sections 279 and 337 of IPC against

the petitioner. The learned counsel further submitted that, it is an admitted version of the 2nd respondent, the alleged incident took place eight months prior to complaint, i.e., the occurrence took place on 15.03.2018 and the FIR came to be registered on 15.12.2018. The 2nd respondent needs to register a case for the purpose of claiming an insurance alone and nothing more. Hence he prayed to quash the same.

3.Heard Mr.R.P.Murugan Raja, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent.

4.Considering the above facts and circumstances, this Court is not inclined to quash the FIR. Hence, the first respondent is directed to complete the investigation and file a final report within a period of three months from the date of receipt of copy of this Order.

5.With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Bhavanisagar Police Station,
Erode District.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.P.Murugan Raja, Advocate, S.R.No.18368/19

RJI(CO)
SSM(22/03/2019).

CrI.O.P.No.4949 of 2019