

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2019

CORAM:

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

CrI.O.P.No.8855 of 2019 and
CrI.M.P.No.4715 of 2019

1.A.R.Dharmalingam @ R.P.Darrmalingam

2.V.Shanmugam

3.V.S.Shankar ... Petitioners

Vs.

1.The State Represented by,
Inspector of Police,
Madhavaram Police Station,
Chennai - 7.
(Crime No.139 of 2019).

2.Loganathan ... Respondents

Prayer : Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records relating to the First Information Report in Crime No.139 of 2019, on the file of the Inspector of Police, Madhavaram Police Station, Chennai and to quash the same.

For Petitioners : Mr.B.Kumar, Senior Counsel
for Mr.M.Vivekanandan

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

For R2 : Mr.V.Karthikeyan

O R D E R

This petition has been filed to quash the FIR in Crime No.139 of 2019, on the file of the 1st respondent police, for offences under Sections 406, 465, 468, 471 and 420 of IPC, as against the petitioner.

2.The learned Additional Public Prosecutor would submit that FIR in Crime No.139 of 2019 pending on the file of the 1st respondent police has been enquired and the same was closed on 16.04.2019 as 'Mistake of Fact' and the closure report has also been filed before the learned Judicial Magistrate, Thiruvotriyur.

3.Recording the said submission made by the learned Additional Public Prosecutor, this petition is dismissed as infructuous. However, the 1st respondent is directed to serve the R.C.S notice to the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the 2nd respondent is at liberty to file a Protest Petition before the concerned Jurisdictional Magistrate. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

vv2
To

- 1.The Judicial Magistrate,
Thiruvottiyur.
- 2.-Do- Thro The Chief Judicial Magistrate,
Chennai.
- 3.The Inspector of Police,
Madhavaram Police Station,
Chennai - 7.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Vivekanandan, Advocate Sr.41699
+1cc to Mr.A.Boni Pas, Advocate Sr.41672

Cr1.O.P.No.8855 of 2019

kk[co]
srg 31/05/2019