

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.01.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.30427 of 2018

S.Senthil Kumar

... Petitioner

Vs.

1. State Represented by
The Inspector of Police,
Vennandur Police Station,
Namakkal District.
(Crime No.494 of 2018)

2. M. Rahjavelu

... Respondents

Prayer: Criminal Original petition filed under Section 482 of the Criminal Procedure Code, to call for the records and to quash the charges in Crime No.494 of 2018 on the file of the Inspector of Police, Vennandur Police Station, Namakkal District.

For Petitioner

: Mr.S.B.Suresh Kumar

For R1

: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed seeking to quash the FIR in Cr.No.494 of 2018 on the file of the Inspector of Police, Vennandur Police Station, Namakkal District.

2. The FIR has been registered as against the four accused persons and this petitioner is ranked as A3. The learned counsel for the petitioner would submit that the petitioner was not even in the scene of occurrence and during the relevant point of time, the petitioner, who is working as a Commercial Inspector before the Electricity Board, was on duty and the same is evident from the information provided under the Right to Information Act by the Tamil Nadu Electricity Board. Therefore, the learned counsel would further submit that this petitioner has been intentionally added as an accused only to harass. The

petitioner being a Government servant, is now facing a potential threat of disciplinary proceedings due to the pendency of the FIR.

3. The learned Additional Public Prosecutor would submit that the respondent police is in the course of investigation and the materials placed by the petitioner will also be taken in to consideration at the time of investigation. The materials placed by the petitioner will have to be enquired and the respondent police must be specified that the petitioner was on duty at the relevant point of time when the incident is said to have taken place.

4. In the facts and circumstances of the case, this Court does not want to interfere with the investigation at this stage. The petitioner is relying on the defense of alibi and the same has to be considered only by the respondent police in the course of investigation.

5. This Criminal Original Petition is disposed of, with a direction to the respondent police to complete the investigation and file a final report or a closure report, as the case may be, within a period of four months from the date of receipt of a copy of this order.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

dss

To

1. The Inspector of Police,
Vennandur Police Station,
Namakkal District.

2. The Public Prosecutor,
Madras High Court.

+1cc to Mr.S.P.Suresh kumar, Advocate, S.R.No.1268

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GSP(25/01/2019)