



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**

Crl.O.P.[MD]No.3075 of 2019

and

Crl.M.P.(MD)No.1714 of 2019

A.S.Sethuraman

: Petitioner/Accused

Vs.

1.The Sub Inspector of Police,
Woraiyur Police Station,
Trichy.
Crime No.464 of 2018.

2.R.Mahesh Rajagopal ... Respondents/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the complaint in Crime No.464 of 2018 on the file of the first respondent herein and to quash the same.

For Petitioner : Mr.AL.Ganthimathi

For R1 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

This petition is filed to quash the proceedings in Crime no.464 of 2018 registered for the offence punishable under Sections 294(b), 324 and 506(ii) IPC.

2. The learned counsel for the petitioner submitted that the petitioner is the Revenue Inspector working in Trichy Corporation. He went with his Officials to assess the property tax of the Hospital building of the accused persons, during which time, he was assaulted and obstructed from performing his duty. Therefore, he was admitted to hospital, wherein statement was obtained, based on which, a case in Crime No.465 of 2018 was registered for the offence punishable under Sections 294 (b) and 324 and 506(ii) IPC against the second respondent herein.

3. As a counter blast, a case has been preferred as if the petitioner sought bribe for negotiating the quantum of property tax leviable on the second respondent's hospital. Even though the petitioner's complaint was the first in point of time, it was registered as a second case and his assailant's case preferred subsequently to the petitioner's complaint was registered in Crime No.464 of 2018.



4. The learned counsel for the petitioner submitted that the FIR does not disclose any of the ingredients necessary to constitute an offence and it can be easily seen from the context that the present case is only a counter blast to his case.

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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

6. From the above, it is seen that there is a case and counter and both the cases have to be investigated to have a logical conclusion. Hence, now the Commissioner of Police, Trichy city is directed, either personally or through any other Officer above the rank of the present Investigating Officer, to monitor both the cases in Crime Nos.464 and 465 of 2018.

7. A direction is further given to the Investigating Agency to complete the investigation within a period of two months from today (i.e., 28.02.2019). The petitioner is also permitted to part with such necessary information, which might aid the Investigating Agency for finalizing their final report.

8. With the above direction, this criminal original petition is disposed of. Post the matter in the First week of June, 2019 for reporting compliance. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Sub Inspector of Police,
Woraiyur Police Station,
Trichy.

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

TA

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