



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.4649 of 2019

and

Crl.M.P.(MD)No.2855 of 2019

K.Abbas : Petitioner/Accused No.2
/Vs./

1.State represented by
Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.144 of 2019)

2.Kamalamuthu : Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.144 of 2019 dated 07.03.2019 for offences under Section 147, 294(b), 341, 353, 506(i) IPC and quash the same as illegal as against the petitioner alone.

For Petitioner : Mr.T.Lajapathi Roy
For R1 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

The present petition is filed to quash the FIR in Crime No.144 of 2019 registered for the offence under Sections 147, 294(b), 341, 353, 506(i) IPC.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. There are five accused named in the FIR. The present petitioner is the second accused. The allegation in the FIR has two parts. The daughter of the fifth accused has eloped and married a man of her choice from another religion. As they required some protection, they were removed from their jurisdictional police station to the first respondent, only with a view to preserve the law and order situation, which, the police apprehended might be affected if the enquiry is held within the limits of jurisdictional police. The second part of the allegation is that after the enquiry the accused persons assembled to take the girl with them and it is at that time all the listed offences were alleged to have been committed.



4. The learned counsel for the petitioner submitted that with the ulterior motive, the present FIR has been laid against the petitioner.

5. On a close reading of the FIR, this Court finds that there are adequate materials to come to the conclusion that a *prima facie* case has been made out and the facts stated therein are worthy for investigation and there is no merit in this petition. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar (CS)

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To

1.The Inspector of Police,
Melur Police Station,
Madurai District.

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

+1 CC to M/s.T.LAJAPATHI ROY, Advocate
(SR-59002[F] dated 04/04/2019)

Cr1.O.P. [MD]No.4649 of 2019
02.04.2019

ES/DS/02.05.2019/2P/4C