



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2019

CORAM:

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

**Cr1.O.P.[MD]No.4718 of 2019**

**and**

**Cr1.M.P. (MD)No.2889 of 2019**

Stalin Jose : Petitioner/Accused No.2  
/Vs./

1.State rep.by  
The Inspector of Police,  
Karungal Police Station,  
Kanyakumari District,  
(Crime No.431 of 2017) : 1<sup>st</sup> Respondent/Complainant

2.Rajan : 2<sup>nd</sup> Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the FIR in Crime No.431 of 2017 on the file of the first respondent police and quash the same in respect of the petitioner as illegal.

For Petitioner : Mr.C.Mayilvahanarajendran  
For R1 : Mr.V.Neelakandan  
Additional Public Prosecutor

### **ORDER**

The present petition is filed to quash the FIR in Crime No.431 of 2017 registered for the offence under Sections 294(b), 324 and 506(ii) IPC.

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

3. The learned counsel for the petitioner submitted that the case in Crime No.431 of 2017 was registered by the first respondent Police for the offence under Sections 294(b), 324 and 506(ii) IPC against unknown persons. Subsequently, the petitioner was implicated based on the confession statement given by him in Crime No.125 of 2018. He further submitted that the alleged confession statement is given to the Police Officer in the course of investigation in Crime No.125 of 2018 and there is no shred of material to implicate the petitioner in the present case.

4. The learned Additional Public Prosecutor submitted that it is too premature as the investigation in this case is in closing stage.



5. Without getting into the merits or quality of evidence, based on which the petitioner was stated to have been implicated in the present case, this Court merely directs the first respondent to complete the investigation and file a final report before the concerned Magistrate within a period of four weeks from today (i.e., 02.04.2019). The petitioner would be at liberty to challenge the final report as and when it is laid, if there are grounds available to him for the same.

6. With the above direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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To

- 1.The Inspector of Police,  
Karungal Police Station,  
Kanyakumari District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1CC TO MR.C.MAYIL VAHANA RAJENDRAN, Advocate Sr. No. 58424

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**02.04.2019**

TR (27.04.2019) 2P 4C