



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl OP(MD)No.5179 of 2019

and

CRL MP(MD)No.3258 of 2019

M.Thambusamy

... Petitioner

Vs.

1.The State represented by the Inspector of Police,
Thuraiyur Police Station,
Trichy District.

2.The Village Administrative Officer,
Vannadu Village,
Pachamalai,
Thuraiyur Taluk,
Trichy District.

... Respondents

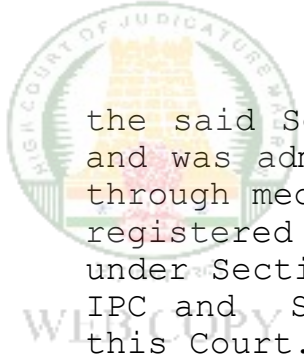
PRAYER:- Petition filed under Section 482 of Criminal Procedure Code, to call for the records in connection with Crime No.25 of 2019, on the file of the Inspector of Police, Thruraiyur Police Station at Trichy District and quash the complaint in Crime No.25 of 2019 on the file of the Inspector of Police, Thuraiyur Police Station at Trichy District against the petitioner/ Accused-1 as illegal, mala fide and void under law and the respondents are liable to pay suitable compensation as may be determined by the Court.

For Petitioner : Mr.P.Veeraraghavan
For Respondents : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor,

ORDER

This criminal original petition has been filed seeking to quash FIR in Crime No.25 of 2019, 1st respondent Police, against the petitioner/ Accused-1 as illegal, mala fide and void under law and the respondents are liable to pay suitable compensation as may be determined by the Court.

2. The case of the prosecution is that one Selvaraj, who is the A2 in the FIR was trekking in the forest area of Thonur village on 21.01.2019 at 5.30pm. While climbing the hill in the forest area, the hand gun of the petitioner /A1 was used by Selvaraj, who accidentally slipped through and fell down from the hillside of the area and thereby bullets from the gun fired out all over the body of



the said Selvaraj. He suffered injury on the face, chest and hands and was admitted in a private hospital at Trichy. Later he survived through medical treatment. In this regard, the Law Enforcing Agency, registered a case in Crime No.25 of 2019, for the offence punishable under Sections 25(1)(a) of Arms Act and Sections 286, 336 and 337 of IPC and Seeking to quash the same, the petitioner is here before this Court.

3. The learned Additional Public Prosecutor would submit that the Charge sheet is going to be filed shortly before the Court concerned.

4. Considering the facts and circumstances of the case on bare perusal of the FIR discloses the cognizable offence against the petitioner and further in respect of quashing the First Information Report elaborately discussed by the Hon'ble apex Court in **State of Haryana and others vs. Bhajan Lal and others [1992 Supp. (1) SCC 335]**, this case does not fall within the parameters laid by the Hon'ble Apex Court, and no fresh materials are produced before this court.

5. Hence this Criminal Original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Cr1.Side)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
2. The Village Administrative Officer,
Vannadu Village, Pachamalai,
Thuraiyur Taluk, Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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dsk

PK/02.05.2019 : 2P/4C