



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.(MD) No.6530 of 2019
and
Crl.M.P.(MD)No.4340 of 2019

TR.K.Pavunraj : Petitioner/Accused No.3

Versus

1.State Rep. by,
The Inspector of Police,
Puliyangudi Police Station,
Tirunelveli District.
(In Crime No.109 of 2019).

:1st Respondent/Complainant

2.Gurunathan

: Respondents/Defacto
Complainant

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records pertaining to the case registered in First Information Report in Crime No.109 of 2019 on the file of the first respondent and quash the same as illegal as against this petitioner.

For Petitioner : Mr.J.Lawrance
For Respondent No.1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

O R D E R

This petition has been filed to quash the First Information Report registered in Crime No.109 of 2019 on the file of the first respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the first respondent.

3. The petitioner herein is now working as the Commissioner of Kadayanallur Municipality. Earlier, he was working as the Commissioner in Puliyangudi Municipality. The present complaint has been lodged against the petitioner and two other co-accused as if the second and third accused attacked the *defacto* complainant at the instigation of the petitioner herein, who was arrayed as the first accused in Crime No.109 of 2019.



4. The present petition has been filed on the ground that the petitioner is no way connected with the alleged occurrence and he has been falsely implicated in this case, since the Puliyangudi Municipality has earlier filed a complaint against the defacto complainant.

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5. Today, when the matter was taken up for hearing, the learned Government Advocate (Criminal side) appearing for the first respondent submitted that now, after investigation, it has been found that the petitioner is no way involved in the occurrence and hence, alteration report has been filed deleting the name of the petitioner from the array of accused and altering the offences from Sections 109, 323, 324 and 506(ii) of the Indian Penal Code into one under Sections 323, 326 and 506(ii) of the Indian Penal Code. The learned Government Advocate (Criminal side) also produced a copy of the alteration report for perusal of this Court.

6. Taking into consideration the alteration report, in and by which, the name of the petitioner has already been deleted from the array of accused, as he is no way connected with the alleged occurrence, this Court is of the view that no further adjudication is required in the present case. Accordingly, the Criminal Original Petition is closed. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
Puliyangudi Police Station,
Tirunelveli District.

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

+1 CC to M/s.J.LAWRANCE, Advocate SR-66793.

Order made in
Cr1.O.P. (MD) No.6530 of 2019
Dated: **03.06.2019**

CS: (14/06/2019) 2P 4C