



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT
DATED: 20.11.2019
CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

**CRL.O.P (MD) No.2978 of 2019
and
Cr1.M.P. (MD) No.1634 of 2019**

Sarbudeen

... Petitioner/A4

Vs

1.State represented by

The Deputy Superintendent of Police,
Thiruvudai Marudhur Division, Thanjavur District.

2.State rep. by

The Inspector of Police,
Thiruvudai Marudhur Division, Thanjavur District.

3.R.Shiyamsundar

4.The Deputy Superintendent of Police,

National Investigation Agency, Cochin. ... Respondents
(R4 suomotu impleaded as per order of
this Court dated 23.09.2019)

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records pertaining to the impugned alteration report dated 06.02.2019 in connection with Crime No.17 of 2019 on the file of the 1st respondent and quash the same as illegal as against the petitioner.

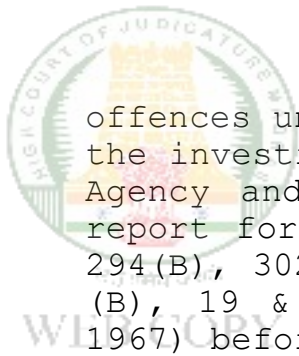
For Petitioners : Mr.S.A.S.Alaudeen

For Respondents : Mr.K.Suyambulinga bharathi,
G.A. (Cr1. Side) for R1 and 2
Mr.R.Karthikeyan, Spl.P.P. For R4

O R D E R

This petition has been filed to quash the impugned alteration report dated 06.02.2019 in connection with Crime No.17 of 2019 on the file of the 1st respondent as against the petitioner.

2.The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Without any base, the 2nd respondent police registered a case in Crime No.17 of 2019 for the



offences under Sections 294(B), 341 and 307 of IPC. However, later, the investigation has been handed over to the National Investigation Agency and they have completed the investigation and filed final report for the offences under Sections 143, 147, 148, 120(B), 341, 294(B), 302 r/w 149 of I.P.C. and Section 15(a)(i)(b) r/w 16, 18, 18 (B), 19 & 20 of UA(P) Act (Unlawful Activities (Prevention) Act, 1967) before the Special Court, (NIA), Bomb Blast Court, Poonamalle, Chennai and the same has been taken cognizance in C.C.No.2 of 2019.

3.Considering the subsequent development in this case, the prayer sought for by the petitioner to quash the impugned alteration report dated 06.02.2019 in connection with Crime No.17 of 2019 on the file of the 1st respondent cannot be granted by this Court.

4.Accordingly, this criminal original petition is dismissed. However, the petitioner is at liberty to file a petition under the provisions of National Investigation Agency Act for appropriate relief. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Deputy Superintendent of Police,
Thiruvidai Marudhur Division,
Thanjavur District.
- 2.The Inspector of Police,
Thiruvidai Marudhur Division,
Thanjavur District.
3. The Deputy Superintenant of Police,
National Investigation Agency, Cochin.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R. KARTHIKEYAN, Advocate (SR-99891[F] 20/11/2019)

Order made in
CRL.O.P (MD) No.2978 of 2019
20.11.2019

Arul

<https://hccs.courts.gov.in/cases/SP-6C>