



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD)No.11614 of 2019

and

Crl.M.P. (MD)No.7297 of 2019

1.C.Mahesh Kumar

2.Shanthi

3.Ramkumar @ Surat Kumar

... Petitioners

Vs.

1.The State rep by the Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
(Crime No.1305 of 2016)

2.Sivaananth

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pursuant to the FIR in Crime No.1305 of 2016 pending on the file of the Inspector of Police, Subramaniapuram Police Station, Madurai and quash the same insofar as the petitioners are concerned.

For Petitioners : Mr.A.S.Vaigunth

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This petition has been filed to quash the proceedings in Crime No.1305 of 2016 pending on the file of the first respondent.

2. The petitioners are Accused Nos.3 to 5 in the above said criminal case registered based on the complaint given by the second respondent for the offence under Sections 147, 148, 342, 294(b), 323, 324, 355, 506(2) and 379 IPC.

3. Today when the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the first respondent, on instructions, would submit that it is a case and case in counter. Earlier based on the complaint given by the petitioners a FIR has been registered in Crime No.1304 of 2016 for the offence under



Sections 323 and 379 IPC. He would further submit that now the entire investigation in both cases is over and the final report is also ready.

4. Considering the fact that already investigation is over on the complaint filed against the petitioner and final report is also going to be filed by the respondent police, at this stage, FIR cannot be quashed. Accordingly, this Criminal Original Petition is dismissed. However, the respondent police is directed to complete the investigation in both cases and file a final report within a period of one month from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.THALAI MUTHARASU, Advocate (SR-82758[F] dated 21/08/2019)

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JMN(06.09.2019) 2P : 4C