



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P. (MD) .No.5 of 2018

and

CRL.M.P (MD) No.6 of 2018

G.Balamurugan

... Petitioner/Accused

Vs.

1.The State Rep.By,
The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(Crime No.416 of 2017)

... Respondent/COMPLAINANT

2.Maridurai

... Respondent/
Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the case in Crime No.416 of 2017 on the file of the Inspector of Police, Pudukottai Police Station, Thoothukudi District and quash the same.

For Petitioner : Mr.R.Anand

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

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.416 of 2017, on the file of the Inspector of Police, Pudukottai Police Station, Thoothukudi District.

2.When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) would submit that investigation is completed and the respondent police filed a final report before the learned Judicial Magistrate No.III, Tuticorin and the same was taken on file in P.R.C.No.67 of 2019 and taken cognizance for the offence under Sections 294(b), 436, 307 and 506(ii) IPC.

3.The learned counsel for the petitioner would submit that the offence under Section 307 of IPC would not attract as against



the petitioner, even according to the case of the prosecution.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the official respondent.

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5. The prayer sought for by the petitioner to quash the FIR, now it is submitted that the charge sheet is filed. Therefore, the prayer sought for by the petitioner has become infructuous. However, the learned Judicial Magistrate No.III, Tuticorin, is directed to peruse the records and proceed further in accordance law within a period of four weeks from the date of receipt of the copy of this order.

6. Accordingly, 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 Judicial Magistrate No.III,
Tuticorin.
- 2.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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and
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JMN(26.09.2019) 2P : 4C