



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **B. PUGALENDHI**

Crl.O.P. (MD) No.15908 of 2019

WEB COPY

Suresh

... Petitioner/Accused Rank not known

Vs.

1. The State Rep.by
The Inspector of Police
Pattukkottai Taluk Police Station
Pattukkottai
Thanjavur District.(Cr.No.53/2018)

: 1st Respondent/Complainant

2. Balakrishnan

: 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records and quash the FIR in Cr No. 53/2018 dated 05.03.2018 on the file of the Inspector of police Pattukkottai Taluk Police Station Pattukkottai Thanjavur District as against the Petitioner herein.

For Petitioner : Mr.A.Thiruvadikumar

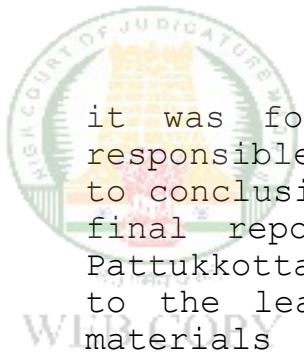
For Respondents : Mr.R.Anandharaj
No.1 Additional Public Prosecutor

ORDER

This petition has been filed to quash the case registered against the petitioner in Crime No.53 of 2018 on the file of the Inspector of Police, Pattukkottai Taluk Police Station, Pattukkottai, Thanjavur District.

2. According to the learned counsel for the petitioner, the First Information Report in Crime No.53 of 2018 was registered as against unknown persons and with the influence of the defacto complainant, the respondent police is attempting to foist this case against the petitioner and this petitioner is having no role in the commission of offence registered in Crime No.53 of 2018.

3. The learned Additional Public Prosecutor, on instructions, from the respondent police would submit that though the case was originally registered against unknown persons, during investigation



it was found that this petitioner is the sole accused who is responsible for the commission of the offence. Therefore they came to conclusion that material evidences are against the petitioner and final report was filed before the learned Judicial Magistrate, Pattukkottai and the same is yet to be taken on file and according to the learned Additional Public Prosecutor there are sufficient materials incriminating this petitioner with the commission of offence.

4. Considering the rival submissions made, this petition is disposed of with liberty to the petitioner to work out his remedy based on the final report.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
Pattukkottai Taluk Police Station,
Pattukkottai,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

+1 CC to M/s.A.THIRUVADI KUMAR, Advocate SR-96008.

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