



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD) .Nos.15091, 15098 and 15182 of 2019

and

Crl.M.P(MD) Nos.9016, 9024 and 9087 of 2019

WEB COPY

S.Chinnadurai : Petitioner in Crl.O.P.(MD).No.15091 of 2019
C.Poologapandian : Petitioner in Crl.O.P.(MD).No.15182 of 2019
C.Muthuramalingam : Petitioner in Crl.O.P.(MD).No.15098 of 2019

Vs.

1. The State through,
The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
(In Crime Nos.304, 302 & 301)

2. M.Murali ... Respondents in all Crl.O.Ps.

Prayer in all Crl.O.Ps.: These Criminal Original Petitions are filed under section 482 of Criminal Procedure Code, to call for the records pertaining to the case in Crime Nos.301, 302 and 304 of 2019 under Sections 110(e), 110(f) of the code of Criminal procedure, 1973 pending investigation on the file of the first respondent police and quash the same.

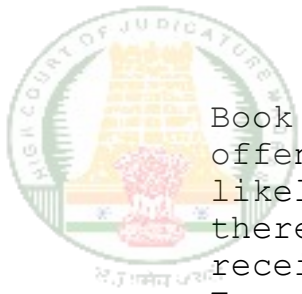
For Petitioners : Mr.R.Aravind Raj
For Respondents : Mr.K.Suyambulinga Bharathi
No.1 Government Advocate(Crl.Side
in all Crl.O.Ps.)

O R D E R

These petitions have been filed by the petitioners to call for the records pertaining to the case in Crime Nos.301, 302 and 304 of 2019 under Sections 110(e), 110(f) of the code of Criminal procedure, 1973 pending investigation on the file of the first respondent police and quash the same.

2.In a similar circumstance, this Court quashed the proceedings in crime No.165 of 2017 on the file of the Dharapuram Police Station vide order dated 21.04.2017 made in Crl.O.P.No.7591 of 2017. The relevant portion of the said order reads as follows:

"4.This Court finds learned counsel for petitioner right in his submissions. The First Information Report



Book is meant for recording information of cognizable offences in keeping with Section 154 Cr.P.C. The likelihood of commission of offence is not to be entered therein. It would be appropriate that whenever the police receive information which might necessitate action by an Executive Magistrate u/s 107 to 110 Cr.P.C., the same be entered in a separate register and requisition for action thereupon be made to the Executive Magistrate. A copy of this order may be sent to the Director General of Police, Tamil Nadu, for issuing appropriate directions to the police force.

The Criminal Original Petition shall stand allowed. Proceedings in Crime No.165 of 2017 on the file of the respondent shall stand quashed. Connected miscellaneous petitions are closed."

3.In view of the same, the Criminal Original Petitions are allowed. Proceedings in Crime Nos.301, 302 and 304 of 2019 on the file of the first respondent is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

vsg

To

- 1.The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court.

+3 CC to M/s.R. ARAVIND RAJ, Advocate SR-93800, 93798 & 93799.

Cr1.O.P(MD) .Nos.15091, 15098
and 15182 of 2019

and
Cr1.M.P(MD) Nos.9016, 9024
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