



WEB COPY

1 CRL OP(MD).No.22577 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL OP(MD).No.22577 of 2018

and

CrI.M.P.(MD).No.10603 of 2018

P.Nagavel

...Petitioner

Vs.

1.The State represented by
the Sub Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(In Crime No.157 of 2018)

2.Muneeswaran

...Respondents

PRAYER: This Petition filed under Section 482 of Criminal Procedure Code to call for the records relating to the impugned First Information Report registered in Crime No.157 of 2018, by the first respondent Police dated 20.10.2018 and quash the same.

For Petitioner	: Mr.A.Saravanan
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate (Criminal side)
For R-2	: No Appearance

ORDER

This petition has been filed to quash the First Information Report registered in Crime No.157 of 2018, on the file of the first respondent Police, for the offences under Sections 294(b), 427, 506 (ii) and 379 of the Indian Penal Code.

2.The learned counsel appearing for the petitioner would submit that, the crime has been registered based on a complaint given by the second respondent, alleging that there is a dispute regarding the management of the private Temple and also, there is a previous enmity between the petitioner and the second respondent. Due to the same, the complaint has been filed as if the petitioner



has damaged the Temple and also taken the hundial placed in the Temple. He further submitted that with a *mala fide* intention, the criminal complaint has been filed against the petitioner.

3.Today, when the matter was taken up for hearing, the learned Government Advocate (Criminal side) appearing for the first respondent would contend that, since the complaint has been made out a prima facie case as against the petitioner, the First Information Report has been registered and at this stage, the complaint need not be quashed. He further submitted that now the investigation is over and the respondent Police will file a final report within a period of four weeks.

4.I have considered the rival submissions and also perused the records carefully.

5.On perusal of the First Information Report, it could be seen that a prima facie case is made out against the petitioner for the cognizable offences and the respondent Police has rightly registered the complaint. I find no reason to quash the First Information Report at this stage. Hence, the Criminal Original Petition stands dismissed. However, the first respondent is directed to complete the investigation in Crime No.157 of 2018 and file a final report, within a period of four weeks from the date of receipt of a copy of this order. **Consequently, the connected miscellaneous petition is closed.**

Sd/-
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Sub Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.MUTHUKUMAR, Advocate (SR-83094[F] dated 22/08/2019)

Order made in
CRL OP(MD) .No.22577 of 2018
21.08.2019

tsg

JM/10.09.2019/2P/4C