



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.10603 of 2017
and
Crl.M.P.(MD) No.7259 of 2017

- 1) Murugan ... Petitioner/ Accused No.1
2) Sakthivel ... Petitioner/Accused No.5

Vs.

- 1) The State rep. by
The Inspector of Police,
Aviyoor Police Station,
Virudunagar District.
Cr.No.131 of 2017 ... Respondent/Complainant
- 2) The Deputy Superintendent of Police,
Aruppukottai Sub Division,
Aruppukottai,
Virudunagar District.
- 3) Murugan ... Respondent/*De facto*
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.131/2017 on the file of the 1st respondent police and quash as against these petitioners.

For Petitioner : Mr.S.Thirunavukarasu
For RR 1 & 2 : Mr.M.Chandrasekaran,
Additional Public Prosecutor
For R-3 : Mr.K.Karmegam

O R D E R

This Criminal Original Petition has been filed seeking to quash
<https://hcservices.ecourts.gov.in/hcservices/>



the proceedings in Crime No.131/2017, pending on the file of the 1st respondent police.

2. The learned Additional Public Prosecutor submitted that there is a case and counter case in Crime Nos.131 & 132 of 2017. The F.I.R. in Crime No.132 of 2017 was filed based on the complaint given by Sakthivel, who is A-5 in the present case.

3. In a case of this nature, the Investigating Officer will have to conduct the investigation in both the cases in accordance with PS0588A and this Court is not in a position to interfere with one F.I.R. The entire truth will get revealed only when both the F.I.R.s' are investigated.

4. In view of the above, this Criminal Original Petition is disposed of with a direction to the Deputy Superintendent of Police, Aruppukottai to conduct investigation in both Crime Nos.131 & 132 of 2017 and complete the investigation within a period of three(3) months from the date of receipt of a copy of this order and file a final report or a closure report, as the case may be, before the competent Court. Consequently, connected Crl.M.P.(MD) No.7259 of 2017 is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

- 1) The Deputy Superintendent of Police,
Aruppukottai Sub Division,
Aruppukottai,
Virudunagar District.
- 2) The Inspector of Police,
Aviyoor Police Station,
Virudunagar District.
- 3) The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.VENKATESAN, Advocate (SR-100695[F] dated 22/11/2019)

STS

TE : 03/01/2020 : 3P/5C

Order made in
Crl.O.P.(MD) No.10603 of 2017
Dated: 20.11.2019