



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.12.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P. [MD] .No.18988 of 2019

and

Crl.M.P. (MD)No.11149 of 2019

Sundaralingam

: Petitioner / Accused No.1

Vs.

1.State Rep. by

The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.

(Crime No.33 of 2017)

: 1st Respondent / Complainant

2.Mohamed Dharikul Ameen,

Sub-Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.

: 2nd Respondent /
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to FIR in Crime No.33 of 2017, dated 08.02.2017, on the file of the Inspector of Police, Devakottai Town Police Station, Sivagangai District and quash the same as against the petitioner.

For Petitioner : Mr.G.Thiruvavutselvan

For R1 : Mrs.S.Bharathi

Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.33 of 2017, dated 08.02.2017, on the file of the Inspector of Police, Devakottai Town Police Station, Sivagangai District, for the offences under Sections 143, 188 and 285 of IPC.

2.The learned counsel appearing for the petitioner would submit that the facts of the case are exactly similar to the case covered in the decision reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018** and in case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other** in batch of cases in **Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.**

3.The learned Government Advocate(Crl.Side) appearing for the first respondent would submit that the facts of the case are similar to the facts covered under the Judgment referred above.

4.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for the first



5.Perused the materials on record.

6.The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District]** dated 20.09.2018 and in case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.** Accordingly, the proceedings in Crime No.33 of 2017 dated 08.02.2017 on the file of the the Inspector of Police, Devakottai Town Police Station, Sivagangai District, is hereby quashed insofar as the petitioner alone and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (w)

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Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.THIRUVARUTSHELVAN, Advocate (SR-106384[F]

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SMA/22/01/2020/2P/4C