

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.01.2020
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.27199 of 2013

K.R.Selvarajkumar

... Petitioner

Vs.

1.State of Tamil Nadu

Rep. by its
Inspector of Police,
Law and Order,
H-8 Thiruvottriyur Police Station,
Thiruvottriyur,
Chennai 600 019.

2.Alex V Ninan

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records and quash the FIR in Cr.No.1533 of 2005 dated 04.06.2005 on the file of the 1st respondent herein and quash the same.

For Petitioner : Mr.A.Thirumaran

For Respondents : Mr.C.Iyyapparaj for R1
Additional Public Prosecutor
Mr.Chevanan Mohan for R2
for M/s.King and Partridge

O R D E R

This criminal original petition has been filed seeking to call for the records and to quash the FIR in Cr.No.1533 of 2005 dated 04.06.2005 on the file of the first respondent herein and to quash the same.

2.The petitioner is the accused in Cr.No.1533 of 2005 for the alleged offence punishable under Sections 143, 384, 506(ii) r/w.511 IPC. The second respondent/ defacto complainant/ Plant Manager, MRF Limited, preferred a complaint on 04.06.2005 alleging that he received threatening calls between 2.15 p.m. and 2.30 p.m. on 03.06.2005 from someone using phone number 25980596. According to the defacto complainant, the background issue for the threatening calls is that MRF had applied to CMDA for conversion of a land, which it owns, from residential to

industrial land. CMDA had published a notice in this regard to which, Selvarajkumar responded and put a protest complaint requesting CMDA to hold the conversion proceedings. Later, the said Selvarajkumar demanded Rs.1 Lakh for which, the defacto complainant refused. Thereafter, the said Selvarajkumar asked the defacto complainant to recruit some of the candidates recommended by him for which also, the defacto complainant refused. The said complaint was registered as Cr.No.1533 of 2005 by the first respondent. Hence, the petitioner has filed this petition.

3.The learned counsel appearing for the petitioner would submit that though the case was registered during the year 2005, there was no progress in the investigation till the year 2013 and hence the petitioner filed this petition in the year 2013.

4.The learned Additional Public Prosecutor would submit that though the F.I.R. was registered in the year 2005, it is highly impossible to complete the investigation and the same is hit by Section 468 of Cr.P.C.

5.The learned counsel appearing for the second respondent would submit that it is highly difficult to complete the investigation after a lapse of nearly 15 years. Hence, it would suffice, if this Court issues warning to the petitioner and close the case.

6.Since the F.I.R. was registered in the year 2005, after a lapse of nearly 15 years, I do not think there is anything required to issue direction to the Law Enforcing Agency to complete the investigation. Further, there is no serious objection from the learned counsel appearing for the second respondent and he only require warning to the petitioner and closure of the case. In view of the above, this Court is inclined to quash the FIR in Cr.No.1533 of 2005.

7.This criminal original petition is accordingly allowed and the FIR in Cr.No.1533 of 2005, dated 04.06.2005, on the file of the first respondent is hereby quashed. Consequently, connected miscellaneous petition, if any, is closed.

Sd/-
Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Law and Order,
H-8 Thiruvottriyur Police Station,
Thiruvottriyur,
Chennai 600 019.

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+2cc to Mr.A.Thirumaran, Advocate, SR.Nos.2551, 2611.
+1cc to M/s.King & Partridge, Advocate, SR.No.3055.

Crl.O.P.No.27199 of 2013

SJ(CO)
CSR: 14.02.2020



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