

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2020

CORAM:

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

CrI.O.P.No.14256 of 2020
and
CrI.M.P.Nos.5436 and 5437 of 2020

B.Ramesh

...Petitioner

Vs.

1. The Inspector of Police,
District Crime Branch,
Thiruppur.

2. R.Subramanian

...Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records relating to the impugned FIR in Crime No.32 of 2011 on the file of the Inspector of Police, District Crime Branch, Thiruppur and quash the same.

For Petitioner : Mr.V.Janakiramulu

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed to call for the records relating to the impugned FIR in Crime No.32 of 2011 on the file of the Inspector of Police, District Crime Branch, Thiruppur and quash the same.

2. The learned Additional Public Prosecutor submitted that after registration of FIR, the 1st respondent conducted detailed investigation and also filed a final report for the offences under Section 147, 148, 342, 387, 506(ii) and 420 of IPC as against the accused persons before the Special Court for land grabbing, Tiruppur. Since the very constitution of the Special Court for Land Grabbing is under challenge, before the Hon'ble Supreme Court of India, the learned Magistrate could not able to take cognizance. Now, the charge sheet has been transferred to the learned Judicial Magistrate, Avinashi and it is pending for taking cognizance. He further submitted that while verifying the records, the learned Judicial Magistrate, Avinashi found some of

the documents (i.e.,) one bail bond executed by the accused is missing and as such, the learned Magistrate sought for records from the Special Court for Land Grabbing.

3. Considering the above submissions, the quashment of FIR in Crime No.32 of 2011 had become infructuous. Hence, this Criminal Original Petition is dismissed. However, the learned Judicial Magistrate, Avinashi is directed to take cognizance on the report filed by the 1st respondent in Crime No.32 of 2011 within a period of four weeks from the date of receipt of a copy of this order. However, the petitioner is at liberty to challenge the final report in the manner known to law, if so advised. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Avinashi.
2. The Inspector of Police,
District Crime Branch,
Thiruppur.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.V.Janakiramulu, Advocate in SR.NO..29760

सत्यमेव जयते

Cr1.O.P.No.14256 of 2020
and

Cr1.M.P.Nos.5436 and 5437 of 2020

AJS (CO)
RV(15/10/2020)

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