

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.30700 of 2019  
and  
Crl.M.P.No.16671 of 2019

Ambedkar

.. Petitioner

/versus/

The Station House Officer,  
P6, Kodungiyur Police Station,  
Chennai 600 118.

.. Respondent

**PRAYER:** Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for records on the file of the respondent in FIR No.528 of 2018, dated 28.03.2018 and quash the same as illegal, incompetent and without jurisdiction.

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.M.Mohamed Riyaz,  
Additional Public Prosecutor

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**ORDER**

This Criminal Original Petition has been filed to call for records on the file of the respondent in FIR No.528 of 2018, dated 28.03.2018 and quash the same as illegal, incompetent and without jurisdiction.

2.The petitioner is arrayed as 8th accused. The allegation alleged in the First Information Report is that when the defacto complainant had gone to arrest the absconded accused persons, in pursuant to the First Information Report registered in Cr.No.527 of 2019 for the offence under Sections 147, 148, 341, 294(b), 324, 307 and 506(ii) of IPC, the petitioner and the other accused persons resisted the respondent and scolded them in filthy language. Therefore, the present First Information Report has been registered in Crime No.528 of 2018 for the offence under Sections 147, 294(b), 225, 353 & 506(i) of IPC. The petitioner's name has been inserted in the First Information Report. Though there is a specific allegation as against the petitioner, his name did not find place in the First Information Report originally. Thereafter, they added the name of the petitioner in the First Information Report. Therefore, he prayed for quashing of the First Information Report.

3.It is seen that the First Information Report registered in Crime No.527 of 2018 has been quashed by this court by a Compromise arrived between the parties by an order dated 01.02.2019. In pursuant to the said crime, the present First Information Report has been registered as against the petitioner and seven other accused persons. Further, the allegations are that when the respondent police reached the place of occurrence to arrest the

accused persons, the petitioner and other accused persons scolded the Sub Inspector of Police, P6, Kodungiyur Police Station, Chennai, in filthy language.

4.Considering the nature of the allegations and subsequent development to the earlier crime registered by the same respondent police, this Court is inclined to quash the First Information Report since no useful purpose will be served on keeping the First Information Report pending. Hence, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

02.03.2020

Internet: Yes  
Index: Yes/No  
Speaking/Non-speaking order  
ari  
To:

1.The Station House Officer,  
P6, Kodungiyur Police Station,  
Chennai 600 118.

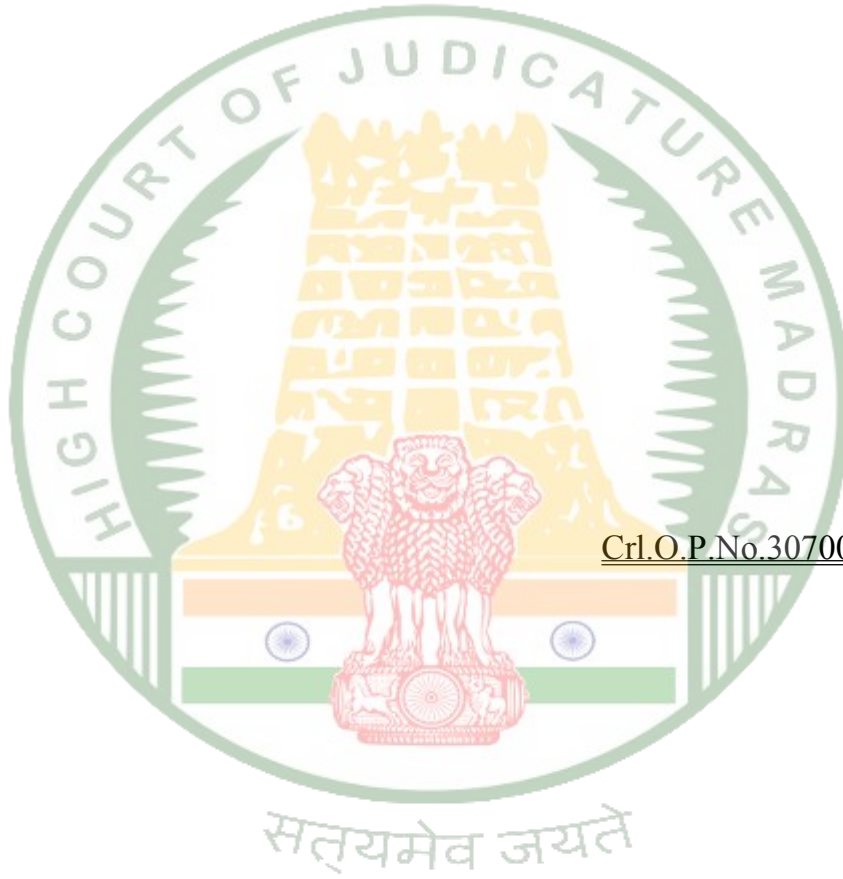
2.The Public Prosecutor,  
High Court, Madras.

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Crl.O.P.No.30700 of 2019

**G.K.ILANTHIRAIYAN, J.**

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