



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.5156 of 2020

M.R.Muthusamy

... Petitioner/Accused No.1

Vs.

1.The State represented by
The Inspector of Police,
Vedasendur Police Station,
Dindigul District
Crime No.11 of 2018

...1st Respondent/Complainant

2.G.Ravi

...2nd Respondent/Defacto
Complainant

PRAYER : Petition filed under Section 482 of Criminal Procedure Code, to call for the records in connection with the impugned First Information Report in Crime No.11 of 2018 pending on the file of the respondent police and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.S.Saravagan Prabhu

For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

In view of the judgement of the Hon'ble Division Bench of this Court, in *Ganesh Vs State of Tamil Nadu* reported in 2013 (1) MWN (Cr) 457, the contention that Section 188 of IPC is not acceptable and the offences is not tenable. Since there are prima facie materials in the First Information Report, the same cannot be quashed in the light of the Hon'ble Supreme Court in the case of *State of Haryana Vs Bhajan lal* reported in 1992 Supp(1) SCC 335.

2.This petition is closed with a direction to the respondent police to complete the investigation in Crime No.11 of 2018 and file a final report within a period of four months from the date of receipt of a copy of this order.



3. Accordingly, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar (AD-II)

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/ /2020

Sub Assistant Registrar(CS)

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To

- 1.The Inspector of Police,
Vedasendur Police Station,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AP(19/06/2020) 2P 3C