



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2020

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P(MD)No.6164 of 2020

and

Crl.M.P(MD)No.3227 of 2020

WEB COPY

1.Mosses Duraikan Samuel
2.Sammangalaraj Mosses Duraikan
3.Rajkumar

...Petitioners/Accused Nos1 to 3

Vs

1.The State rep. by,
The Inspector of Police,
Karur Town Police Station,
Karur District.
(Crime No.136 of 2020)

...Respondent/Complainant

2.K.Kandasamy

...2nd Respondent/Defacto
Complainant

Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the impugned FIR in Crime No.136 of 2020 on the file of the Sub Inspector of Police, Karur Town Police Station, Karur, quash the same.

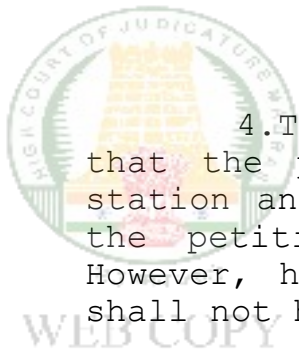
For Petitioners	:	Mr.B.Prasanna Vinoth
For Respondent	:	Mr.K.K.Ramakrishnan,
No.1		Additional Public Prosecutor

ORDER

This petition is filed to quash the impugned FIR in Crime No.136 of 2020 on the file of the Sub Inspector of Police, Karur Town Police Station, Karur.

2.The learned counsel appearing for the petitioner submits that a case for the offence under Section 176 of IPC, has also been registered against this petitioner without any basis and this petitioner is not a public servant, who is legally bound to inform their involvement and moreover this complaint has been lodged two years after registration of the document.

3.The learned Additional Public Prosecutor on instructions, submits that serious allegations are made against this petitioner and it needs to be investigated and it cannot be quashed or entertained at this stage of FIR.



4.The learned counsel appearing for the petitioner submits that the petitioner has been unnecessarily called to the police station and harassed under the guise of enquiry. He undertook that the petitioner is ready to co-operate with the investigation. However, he has sought for a direction that the respondent Police shall not harass the petitioner under the guise of enquiry.

5.Since this Court expressed that this matter cannot be entertained at this stage of FIR, the learned counsel appearing for the petitioner sought permission of this Court to withdraw this petition with liberty to file necessary application after the final report is filed.

6.In view of the above submissions of the learned counsel appearing for the petitioner, this criminal original petition is dismissed as withdrawn and the petitioner is at liberty to file necessary application as and when required. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg/vsd

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

CrI.O.P(MD)No.6164 of 2020
and
CrI.M.P(MD)No.3227 of 2020
12.06.2020

AP(18/06/2020) 2P 3C

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