



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2020

WEB COPY

**CORAM:
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN**

**Crl.O.P.[MD]No.7623 of 2020
and
Crl.M.P(MD)No.3654 of 2020**

G.Ravi

... Petitioner

Vs.

1.State Rep. by
the Inspector of Police,
C3, S.S.Colony Police Station,
Madurai City.
(In Cr.No.372 of 2019)

2.V.Saravanan

3.K.Moorthi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records in connection with Crime No.372 of 2019 on the file of the respondent police and quash the same.

For Petitioner : Mr.A.B.Natarajan

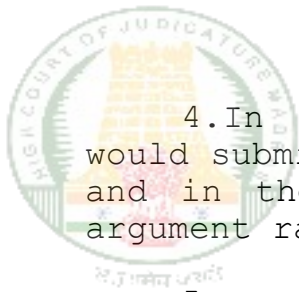
For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the FIR registered in Crime No.372 of 2019 for the offences under Sections 4 (1)(a), 4(1)(i), 4(1-A), 24, 24A of Tamil Nadu Prohibition Act, 1937.

2.Heard the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the petitioner.

3.The first and foremost contention raised by the petitioner is that the first respondent himself registered a case and investigated the same which is against the principle already set out in the various judgments.



4.In this regard, the learned Additional Public Prosecutor would submit that investigation in the alleged case is still pending and in the said circumstances, without seeing the final report, argument raised by the petitioner as above cannot be accepted.

5.Upon considering the argument advanced by either side, without seeing the final report filed by the Investigation Officer, it cannot said that the same person who is an informant, has investigated the case and filed the final report. One another aspect, it is necessary to decide in this petition is whether the informant is the victim or not. These factors have to be decided only at the time of trial. Therefore, in the said circumstances, the prayer sought for by the petitioner cannot be entertained. The Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rmi

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,
C3, S.S.Colony Police Station,
Madurai City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.[MD]No.7623 of 2020
and
CrI.M.P(MD)No.3654 of 2020

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SPU(29.07.2020)2P 3C

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