



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.09.2020

CORAM:
THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)No.9264 of 2020
and
Crl.M.P. (MD)No.4344 of 2020

WEB COPY

Beer Mohamed, S/o.Dhivan Mohaideen ... Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City.
(Crime No.370 of 2018)

2.Somu ... Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records pertaining to the First Information Report in Crime No.370 of 2018, on the file of the first respondent Police and quash the same as illegal.

For Petitioner : Mr.S.M.A.Jinnah

For R1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl. side)

O R D E R

This Criminal Original Petition has been filed by the petitioner seeking to quash the proceedings pending against him in Crime No.370 of 2018, on the file of the first respondent Police, for the offences under Sections 143, 341 and 188 of I.P.C.

2.The learned counsel appearing for the petitioner would submit that the facts of the case are exactly similar to the case covered in the decision reported in **2018 (2) LW (Crl.) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District, decided on 20.09.2018]** and in the case of **Sri Raja vs. Inspector of Police, Sivakasi Town Police Station, Virudhunagar District and another [Crl.O.P(MD)No.7922 of 2019 etc. batch, decided on 30.08.2019]**.

3.The learned Government Advocate (Criminal side) appearing for the first respondent would submit that the facts of the case are similar to the facts covered under the Judgment referred above.



4. Heard the learned counsel appearing for the parties and perused the materials on record.

5. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 (2) LW (Crl.) 606 [Jeevanandham and others vs. The Inspector of Police, Velayuthampalayam Police Station, Karur District, decided on 20.09.2018]** and in the case of **Sri Raja vs. Inspector of Police, Sivakasi Town Police Station Virudhunagar District and others [Crl.O.P.(MD)No.7922 of 2019 etc. batch, decided on 30.08.2019]**. Thus, by considering the facts and submissions, the proceedings in Crime No.370 of 2018, on the file of the first respondent Police, is hereby quashed insofar as the petitioner is concerned.

6. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Vilakkuthoon Police Station,
Madurai City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AP(10/09/2020) 2P 3C

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