



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

CrI.O.P. (MD)No.9875 of 2020

WEB COPY

P.Ananthan

.. Petitioner / Accused No.8

Vs.

1.The State represented by
the Sub Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
(Crime No.58 of 2018)

2.E.Sivakumar,
Sub Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the case in Crime No.58 of 2018, on the file of the Sub Inspector of Police, Radhapuram Police Station, Tirunelveli District and quash the same.

For Petitioner : Mr.A.Kesavan

For R-1 : Mr.R.Erottuchamy
Government Advocate (Criminal side)

O R D E R

This criminal original petition has been filed seeking for the relief to quash the First Information Report registered in Crime No.58 of 2018, on the file of the Sub Inspector of Police, Radhapuram Police Station, Tirunelveli District, for the offences under Sections 143, 188 and 285 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 (CrI.) 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 [CrI.O.P(MD)No.7922 of 2019 etc. batch, decided on 30.08.2019]**.



3.The learned Government Advocate (crl.side) appearing for the first respondent had fairly concede that the facts of the present F.I.R is similar to the facts covered under the Judgment referred above.

4.Heard both sides and perused the materials on record.

5.Now, on considering the submission made by the learned counsels appearing on either side, since the facts of the present F.I.R is exactly similar to the cases referred to above, applying the ratio laid down in the above referred judgments, the present F.I.R., which is pending on the file of the respondent police, has also necessarily to be quashed.

6.In the light of the above, the F.I.R registered in Crime No.58 of 2018 on the file of the first respondent police, is hereby quashed insofar as the petitioner is concerned. Accordingly, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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 Sub Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

Copy To:- The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.9875 of 2020
17.09.2020

SS (CO)

<https://hlservices.court.gov.in/hlservices> **AP 05/10/2020) 2P 3C**