



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.09.2020**

CORAM:

WEB COPY

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

CrI.O.P. (MD)No.9997 of 2020

B.Nagaraja

... Petitioner

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 against this petitioner.

For Petitioner : Mr.A.Kesavan

For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (CrI. Side)

O R D E R

This Criminal Original Petition has been filed by the petitioner seeking to quash the FIR registered against him in Crime No.58 of 2018 on the file of the first respondent police for the offences punishable 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 [Crl.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, on instructions, would submit that the facts of the case are similar to the facts covered under the Judgment referred above.

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

5.Now, considering the submission made by the learned counsel appearing on either side, it is true that the facts of this case are exactly similar to the cases referred to above by the learned counsel appearing for the petitioner. Therefore, applying the ratio laid down in the above referred judgments, the present F.I.R., which is pending on the file of the first 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)

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.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.[MD]No.9997 of 2020

21.09.2020

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<https://hcservices.ecourts.gov.in/hcservices/> SDS (06.10.2020) 2P-3C