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CRL.O.P.(MD)NO.10764 OF 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Cr1.O.P.(MD)No.10764 of 2016 and
CRL.M.P.(MD)Nos.5298 & 10034 of 2016

Prasath

... Petitioner/Accused No.3

Vs.

1. State rep. by,
The Sub Inspector of Police,
Kumuli police station,
Theni District.

(Crime No.79 of 2015)

... 1st Respondent/Complainant

2. S.Palanisamy

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned FIR in Crime No.79 of 2015 on the file of the first respondent and to quash the same as against the petitioner.

For Petitioner

: Mr.R.Shankar Ganesh

For R-1

: Mr.A.Robinson,

Government Advocate(Crl. Side).

For R-2

: Mr.R.Anand

O R D E R

The petitioner's counsel states that they have returned the papers to the petitioner herein.

2. This criminal original petition has been filed for quashing the impugned First Information Report in Crime No.79 of 2015 registered on the file of Kumuli police station, Theni District, for the offence under Section 379 of I.P.C.

3. I went through the memorandum of grounds. They are rather factual in nature and therefore I have to necessarily come to the conclusion that this criminal original petition has been pre-maturely filed.

4. Leaving open all the contentions and the defences of the petitioner, the criminal original petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

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/ /2020

Sub Assistant Registrar(CS)



pmu

To:

1. The Sub Inspector of Police,
Kumuli police station,
Theni District.

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

Cr1.O.P. (MD) No.10764 of 2016
22.01.2020

SMA/13/02/2020/2P/3C