



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.14905 of 2016 and

Crl.M.P.(MD)No.6996 of 2016

WEB COPY

1. Srinivasan
2. Pandi
3. Parameswari
4. Kasammal

... Petitioners/Accused Nos.1 to 4

Vs.

1. The Inspector of Police,
Sinthupatty police station,
Madurai.

... Respondent/Complainant

2. Mani Thevar

... Respondent/Defacto complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned FIR in Crime No.134 of 2013 on the file of the Inspector of Police, Sinthupatty police station, Madurai dated 16.08.2013 and quash the same.

For Petitioners
For R-1

: Mr.P.Mahendran
: Mr.A.Robinson,
Government Advocate(Crl. Side).

* * *

O R D E R

The petitioners are figuring as accused in Crime No.134 of 2013 on the file of the first respondent for the offences under Sections 447, 379, 420, 427, 468, 294(b) and 109 of I.P.C.

2. The case of the second respondent is that the petitioners herein had cut the trees standing in Survey Nos.30/1, 20/7, 30/6, Police Lane, Sinthupatty Village, Usilampatti Taluk, Madurai District and put up a library hall in that place. The defence of the petitioners is that they never indulged in tree cutting and that the library hall was located in Survey No.30/9, Sinthupatty Village. Without even going into the rival assertions one can safely conclude that the case of this nature could not have been registered after the lapse of more than five years. The petitioners' counsel states that they have been falsely implicated due to political motive.



3. On account of the inordinate and unexplained delay in even registering the First Information Report, I am of the view that the impugned First Information Report deserves to be quashed. It is accordingly quashed. The criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

To:

1. The Inspector of Police,
Sinthupatty police station,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P. (MD) No.14905 of 2016
11.02.2020

VB (24.02.2020) 2P 3C