



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.6880 of 2016

and

Crl.M.P.(MD)No.3467 of 2016

Manickam @ Manicka Nadar ... Petitioner/Accused No.1
-vs-

1.State Rep.by its
The Deputy Superintendent of Police,
Vilathikulam Sub-Division,
Tuticorin District.

2.The Inspector of Police,
Masarpatti Police Station,
Tuticorin District.
(In Crime No.30 of 2016)

...Respondents 1 and 2/
Complainants

3.Selvakumar ... 3rd Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records in Crime No.30 of 2016 on the file of the second respondent and quash the same as against the petitioner.

For Petitioner: Mr.M.Veilkani Raju

For R1 & R2 : Mr.A.Robinson,
Government Advocate(Crl.side)

O R D E R

The petitioner has been shown as accused in Crime No.30 of 2016 on the file of the second respondent, registered for the offences under Section 324 and 506(ii) IPC and Section 3(1)(x) of Scheduled Caste and Scheduled Tribes Act. An order of interim stay was granted when this Criminal Original Petition was taken up for admission.

2.When the matter was taken up for final hearing, it is represented by the learned counsel on either side that the defacto complainant/R3 herein is no more. He is said to have passed away on 25.09.2019.

<https://hcservices.ecourts.gov.in/hcservices/>



3.Since, the defacto complainant himself is no more, the case against the petitioner cannot be established even if the matter is taken up for trial. Hence, keeping the First Information Report alive would not serve any purpose.

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4.In this view of the matter the First Information Report in Crime No.30 of 2016 on the file of the second respondent herein is quashed and this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(

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To

1.The Deputy Superintendent of Police,
Vilathikulam Sub-Division,
Tuticorin District.

2.The Inspector of Police,
Masarpatti Police Station,
Tuticorin District.

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

+1 CC to M/s.VEILKANIRAJ, Advocate (SR-197[F] dated 03/01/2020

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TK/SAR. /16.03.2020/2P/5C