

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.2217 of 2021
in Crl.MP No.1212 of 2021

Selvam

.. Petitioner

Vs.

1. The State by
The Inspector of Police,
PEW Ranipet Police Station,
Vellore District.
Crime No.295 of 2014

2. R.Sethuraman

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.PC to call for the records in Crime No.295 of 2014 pending on the file of the Inspector of Police, PEW Ranipet Police station, Vellore District.

For Petitioner : Mr.D.Thirumoorthy

For Respondents : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to quash the FIR in Crime No 295 of 2014 for an offence under section 24 (A) of TNP Act, r/w section 420 of IPC.

2. The case of the prosecution is that the petitioner was working as salesman in a TASMAL shop. While so, a surprise check was conducted and it was found that in certain batches of liquor bottles, water had been added. Based on the complaint given by the 2nd respondent, an FIR was registered in the year 2014.

3. When the matter was taken up for admission on 12.02.2021, this Court directed the learned Additional Public Prosecutor to take instructions as to why a final report has not been filed for more than six years.

4. Today when the matter was taken up for hearing, the learned Additional Public Prosecutor on instructions

submitted that the chemical Analysis report has not been received by the respondent police and immediately on receipt of the same, a final report will be filed before the Concerned court.

5. In the considered view of this Court, this case has been pending at the stage of investigation for more than six years and the respondent police have not even got the chemical analysis report till now. No useful purpose will be served in keeping the FIR pending at this stage. The continuation of the criminal proceedings based on the so called confession given by the petitioner will only amount to an abuse of process of law. This Court is inclined to interfere with the FIR mainly on the ground of delay in not concluding the investigation. In the result, the FIR in Crime No.295 of 2014 on the file of 1st respondent is hereby quashed.

6. Accordingly, this Criminal original petition is allowed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
PEW Ranipet Police Station,
Vellore District.

2.The Additional Public Prosecutor
High Court, Madras.

+1cc to Mr.S.Silambu Selvan, Advocate SR.12922

Cr1.O.P.No.2217 of 2021

BR(CO)
CB(31/03/2021)

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