

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3779 of 2018
and Crl.MP.No.1724 of 2018

K.Gopinath

... Petitioner

Vs.

1. The State Rep. By its
The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.
(Crime No.1365 of 2017)

2. A.Tamilventhan

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Crime No.1365 of 2017 on the file of the first respondent police and quash the same.

For Petitioner	: Mr.K.Myilsamy
For Respondents	: Mr.C.Raghavan
	Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking to quash the FIR in crime No.1365 of 2017 pending on the file of the first respondent Police.

2. The second respondent has given a complaint against the petitioner on the ground that the petitioner along with his party men had burnt the effigy of a political party leader and had made a statement to the effect that anyone who brings the head of the said leader, will be paid money. Based on this complaint, an FIR has been registered for offences under section 153A(1) (a), 505(1) (b), 505(1) (c) and 506(ii) of IPC.

3. Heard Mr.K.Myilsamy, learned counsel for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) appearing on behalf first respondent. The second respondent has been served and his name has been printed in the cause list and there is no representation either in person or through counsel.

4. In the considered view of this Court, the allegations made in the complaint, do not make out the offences under Sections 153A(1)(a), 505(1)(b), 505(1)(c) and 506(ii) IPC. Useful reference can be made to the Judgments of this Court in Haarun Basha Vs. The State rep. By the Inspector of Police, E-5, Cholvaram Police Station, Thiruvallur District reported in 2019 (1) LW CrI. 21 and Rafi Ahmed Vs. The Deputy Superintendent of Police, National Investigation Agency, Cochin (Camp at Chennai) reported in 2020 (1) LW CrI. 161. Continuing with the investigation, at the length of time, will not serve any purpose and accordingly, the FIR in Crime No.1365 of 2017 pending investigation on the file of the respondent police, is hereby quashed and this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions is closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/
Sub Asst. Registrar

rli

To

1. The State Rep. By its
The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.

2. The Public Prosecutor
High Court of Madras
Chennai - 600 104.

+1 cc to Mr.K.Myilsamy Advocate sr4559

CrI.O.P.No.3779 of 2018
and CrI.MP.No.1724 of 2018

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