

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3541 of 2021
and
Crl.M.P.No.2077 of 2021

Kiran @ Kiran Sai

.. Petitioner

Vs.

1. The State Represented by,
The Inspector of Police,
Thiruttani Police Station,
Thiruvallur District,
(Cr.No.1543 of 2020)

2. G.Saravanan

.. Respondents

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Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to
call for the records and to quash the proceedings in Crime No.1543 of
2020 on the file of the respondent police.

For Petitioner : Mr.K.Murugan

For Respondent No.1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

Mr.Devan, Sub-Inspector of Police, was present at the time of hearing through video conferencing.

2. This Criminal Original petition has been filed seeking to quash the proceedings mainly on the ground that there is a compromise between the petitioner and the 2nd respondent. An Affidavit has also been filed to that effect by the 2nd respondent.

3. When the matter came up for hearing on 01.03.2021, this Court passed the following order :-

This petition has been filed to quash the FIR insofar as the petitioner is concerned only on the ground that the Defacto complainant himself had taken a stand that he never mentioned the name of the petitioner at the time of giving the complaint and the name of the petitioner has been wrongly added in the FIR. The defacto

complainant who was also present before this Court has filed an affidavit to that effect.

2. The learned Government Advocate is directed to take instructions in this regard and report before this Court. Post this case under the caption for Reporting compromise on 17.03.2021 @ 2.15 p.m.

3. The learned Additional Public Prosecutor submitted that the investigation has been completed and a final report was filed before the learned Judicial Magistrate, Thiruttani in FR No.283 of 2020 dated 19.07.2020. The learned Additional Public Prosecutor on instructions submitted that there are nearly 11 cases pending against the petitioner and most of the cases are very serious in nature. The learned Additional Public Prosecutor further submitted that there are all chances of the petitioner threatening the 2nd respondent which has made him file the affidavit before this Court.

4. Taking into consideration the antecedents of the

petitioner and since public interest is involved, inspite of an affidavit filed by the 2nd respondent, this Court is not inclined to quash the FIR. In the result, this Criminal Original petition is dismissed and the learned Judicial Magistrate, Thiruttani, is directed to act upon the final report, within a period of four weeks from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is also closed.

17.03.2021

Index :Yes/No
Internet:Yes/No
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To

1. The Inspector of Police,
Thiruttani Police Station,
Thiruvallur District,

2. The Additional Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH, J.

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