

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5651 of 2021

J. Ramkumar

...Petitioner/Accused

vs.

State Rep. By

The Inspector of Police,
M-5, Ennore Police Station,
Chennai.

....Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.571 of 2018 on the file of the respondent and quash the same.

For Petitioner : Mr.C.Ashokkumar

For Respondent : Mr.C.Raghavan

Government Advocate (crl. Side)

ORDER

On consent given by either side, the main petition itself has been taken up for final hearing.

2. The case of the prosecution is that the petitioner and others conducted a protest on 18.07.2018 without getting any permission and thereby causing hindrance to the general public and were also preventing the Police from performing their public duty. The FIR was registered for offences under Sections 143, 341, 188 and 353 of the Indian Penal Code.

3. Heard Mr. C.Ashokkumar, learned counsel appearing for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned Government Advocate on instructions submitted that the investigation is pending no Final Report has been filed till date.

5. The incident is said to have taken place in the year 2018 and till date there is no progress in the investigation. The name of the petitioner has not been mentioned in the FIR and he

has been roped in subsequently. Considering the delay in the completion of the investigation and also of the fact that no useful purpose will be served in keeping the investigation pending, this Court is inclined to interfere with the FIR insofar as the petitioner is concerned. The petitioner is a practicing Advocate and the pendency of the FIR against the petitioner without there being any materials will amount to an abuse of process of law.

6. In the result, the FIR in Crime No.571 of 2018 pending on the file of the respondent Police is hereby quashed insofar as the petitioner is concerned and the Criminal Original Petition is allowed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

jv
To

1. The Inspector of Police,
Vigilance and Anti Corruption,
Special Investigation Cell,
Head Quarters, Chennai 28.

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

+1 Cc to Mr.G. Ashok Kumar, Advocate sr 4272.

सत्यमेव जयते

Cr1.O.P No.5651 of 2021

PL(CO)
SP(20/04/2021)

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