

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.7751 of 2021
and
Crl.MP.No.5114 of 2021

R.Praveenraj

... Petitioner/Accused 1

.Vs.

State rep.by

1.The Inspector of Police,
E 3- Minjur Police Station,
Thiruvallur.

..1st Respondent/
Complainant

(Crime No.544of 2015)

2.Chellan

..2nd Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the FIR filed in Crime No.544 of 2015, on the file of the respondent Police, E-3 Minjur Police Station, Minjur, Thiruvallur and to quash the same as against the petitioner herein.

For Petitioner : Mr.B.Anju

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R 1

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.544 of 2015, pending on the file of the 1st respondent Police.

2.The learned counsel for the petitioner submitted that the FIR is of the year 2015 and till date no charge sheet has been filed. He further submitted that it is purely an abuse of process of law. Hence, the FIR is liable to be quashed.

3.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the FIR was registered in the year 2015 and no charge sheet has been filed.

4.On reading of the FIR, it shows that there was an attempt to steal the cattle by the accused person and even according to the FIR, offence was not taken place. That is the reason the FIR was registered under Section 380 r/w Section 511 IPC. Even though the FIR was registered in the year 2015, no progress in the investigation and now the respondent police cannot make the incident as a completed one.

5.Considering the nature of allegations, this Court is of the opinion that keeping the impugned FIR is a futile exercise and is liable to be quashed. Accordingly, FIR in Crime No.544 of 2015, pending on the file of the 1st respondent Police, is hereby quashed.

6.This criminal original petition is allowed with the above directions. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

KP

To

1.The Inspector of Police,
E 3- Minjur Police Station,
Thiruvallur.

2.The Public Prosecutor
High Court, Madras.

+1cc to Mr.S.Jayakumar, Advocate, S.R.No.26828

UM(CO)
CB(13/07/2021)

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