



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.19145 OF 2021

AND

CRL.M.P.NO.10469 OF 2021

S.Muthukumar

... Petitioner/Accused

Versus

1. The Inspector of Police,
T-11, Thirunindravur Police Station,
Thirunindravur,
Thiruvallur District.

2. V.Sundaram

... Respondents/Complainant,
Defacto Complainant

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and to quash the above First Information Report (FIR) in Crime No.806 of 2020 dated 18.12.2020 on the file of T-11, Thirunindravur Police Station, Thiruvallur.

For Petitioner : Mr.R.Muthu Krishnan

For Respondents : Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

O R D E R

This petition has been filed to call for the records and to quash the above First Information Report (FIR) in Crime No.806 of 2020 dated 18.12.2020 on the file of T-11, Thirunindravur Police Station, Thiruvallur.

2. The learned counsel appearing for the petitioner submitted that before the registration of the F.I.R., i.e., on 18.12.2020, the petitioner was arrested illegally by the respondent police on 17.12.2020 and he was remanded to judicial custody. He further submitted that the petitioner was detained



under Goondas Act on 13.01.2021 and when the same was challenged by the wife of the petitioner in her written representation dated 01.02.2021 before the State Advisory Board for Goondas, Chennai, the same was revoked. He further submitted that except the case in Cr.No.806 of 2020, no other case is pending against the petitioner.

3. The learned Additional Public Prosecutor submitted that in this case F.I.R. has been registered on 18.12.2020 and he was remanded to Judicial Custody and further the petitioner was released on bail by Principal Sessions Court, Tiruvallur and at the time of moving the bail application, the petitioner has not made any such allegation of illegal remand. He further submitted that investigation is completed and awaiting approval from the Director of Prosecutor.

4. Considering the fact that investigation is completed and the points raised by the petitioner are denied by the respondents, this Court is of the view that the points raised by the petitioner could be decided during trial.

5. In view of the same, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

arr

To

1. The Inspector of Police,
T-11, Thirunindravur Police Station,
Thirunindravur,
Thiruvallur District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Muthu Krishnan, Advocate, S.R.No.63546

CRL.O.P.NO.19145 OF 2021

NMI (CO)
PBS/22/12/2021