

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.17512 of 2017
and CrI.M.P No.10712 of 2017

1. G.Dhilipan

2. R.Chinna KounderPetitioners/Accused 1 & 2

vs.

1. The Inspector of Police,
G3, Kilpauk Police Station,
Kilpauk,
Chennai - 600 010.

2. D.Jagadeesan
Head Constable,
G3, Kilpauk Police Station,
Kilpauk,
Chennai - 600 010.

...1st Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.975 of 2017 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.V.Krishnamurthy for
Mr.A.Asvathamam

For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor
for R1

No Appearance for R2

ORDER

This petition has been filed to quash the FIR registered in Crime No.975 of 2017, pending on the file of the 1st respondent.

2.The case of the prosecution is that on 10.05.2017 between 5 p.m. and 9 p.m. when the 2nd respondent was regulating the traffic near the Law College Hostel, three Law College students

travelling in the motor cycle came from the wrong side and this was questioned by the 2nd respondent. This resulted in a wordy quarrel and some more students are said to have come out from the hostel and threatened the police officials and abused them and prevented them from doing their official duty. Based on the complaint given by the 2nd respondent, an FIR came to be registered in Crime No.975 of 2017 for offence under Sections 147, 148, 341, 294(b), 353, 332 and 506(ii) of IPC.

3.The main ground that has been raised by the learned counsel for the petitioners is that the complaint given by the 2nd respondent does not figure the names of the petitioners. However, when the FIR was registered, the names of the petitioners were added and that itself shows that a false complaint was given against the petitioners.

4.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the 1st respondent.

5.Taking into consideration the facts and circumstances of the case and also of the fact that the incident had taken place in the year 2017 and the FIR was also stayed by this Court and there has been no progress in the investigation, no useful purpose will be served in keeping the First Information Report pending at this length of time.

6.In view of the above, FIR in Crime No.975 of 2017, pending investigation on the file of the 1st respondent is hereby quashed and this criminal original petition is accordingly allowed. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy सत्यमेव जयते

Sub-Assistant Registrar

ssr
To

1. The Inspector of Police,
G3, Kilpauk Police Station,
Kilpauk,
Chennai - 600 010.

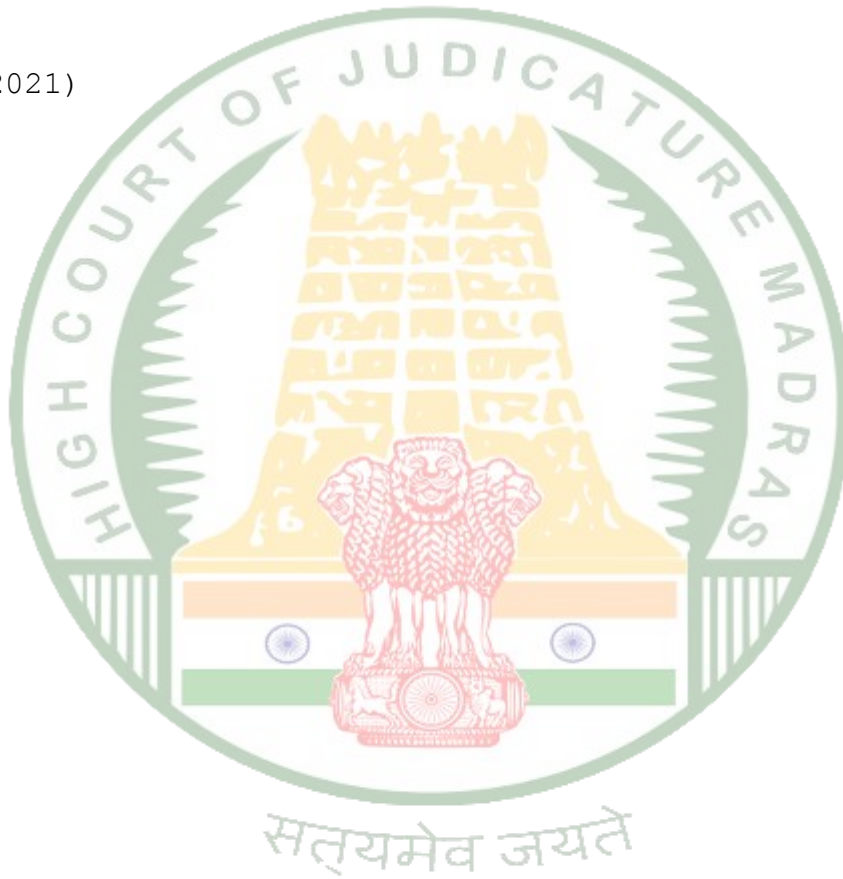
WEB COPY

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

+1 CC to Mr.A.Asvathaman, Advocate sr 11245.
+2 CC to Mr.A.Asvathaman, Advocate sr 11245

Crl.OP No.17512 of 2017
and Crl.M.P No.10712 of 2017

AAB (CO)
SP(19/03/2021)



WEB COPY