



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2021

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.17771 of 2017
and CRL.M.P.No.10859 of 2017

A.Gopalakrishnan

...Petitioner/Accused No.1

Vs.

1.State Rep.by
The Inspector of Police,
Rasipuram Police Station,
Namakkal District.

2.Silambuselvi
...Respondents/Complainant/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records relating to the FIR filed in Crime No.497 of 2017 dated 14.07.2017 on the file of the Inspector of Police, Rasipuram Police, Namakkal District and quash the same.

For Petitioner : Mr.N.Vijaya Basker

For Respondents : Mr.S.Vinoth Kumar
Govt.Advocate(Crl.side) for R1

Mr.G.Ponnambala Thiyagarajan for R2

ORDER

This Criminal Original Petition has been filed to call for the records relating to the FIR filed in Crime No.497 of 2017 dated 14.07.2017 on the file of the Inspector of Police, Rasipuram Police, Namakkal District and quash the same.

2. The Crux of the allegation is that FIR has been registered on the basis of the complaint filed by the Typist of Judicial Magistrate, Rasipuram/ defacto complainant. She further submitted that while she was attending Court Calling Work, the case in P.R.C.No. 3 of 2014 came for hearing on 30.07.2014. When the accused under the pretext of verifying the Court bundle, he took away the case bundle from the Court. Thereafter, he has not returned the bundle to the defacto complainant. Therefore, the complaint has been filed.



3. This Court has perused the entire materials available on record. The very complaint itself indicate that the entire records relating to PRC has been taken away from the Court and it is a serious issue, which has to be investigated. Therefore, at this stage, this Court is not able to countenance the contention of the learned counsel for the petitioner that this complaint is due to previous motive. Hence, at this stage, the quashment of the FIR does not arise at all.

4. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

msv/nr

To

1.The Inspector of Police,
Rasipuram Police Station,
Namakkal District.

2.The Public Prosecutor
High Court, Madras.

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NMI (CO)
PR (19/01/2022)