



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P. (MD)No.5533 of 2021

and

Crl.M.P(MD) No.3171 of 2021

WEB COPY

Ajithkumar

... Petitioner

Vs.

1.The State Rep. by

The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi,
Thoothukudi District.
(Crime No.27 of 2019)

...1st Respondent/
Complainant

2.Kalimuthu

... 2nd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the First Information Report bearing Crime No.27 of 2019 on the file of the Inspector of Police, Ottapidaram Police Station, Ottapidaram, Thoothukudi District and subsequently, quash the same in respect of the petitioner as illegal, erroneous and devoid of merits.

For Petitioner

: Mr.J.Sankara Pandian

For R-1

: Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

This petition has been filed seeking quashment of the First Information Report bearing Crime No.27 of 2019 on the file of the Inspector of Police, Ottapidaram Police Station, Ottapidaram, Thoothukudi District.

2.The case of the prosecution is that on 17.02.2019, while the defacto complainant went to a marriage function, the Accused Nos.1, 5 and 6 abused him in filthy languages and on the same day, while he was returning to his village, all the accused waylaid and beaten him with hands. When the said act was questioned by Bharath Paramasivan, he was also abused and beaten by the petitioner. Hence, the defacto complainant lodged a complaint against petitioner and other accused. Based on the complaint, a case in Crime No.27 of 2019 has been registered for the offences punishable under Sections 147, 341, 294(b), 323 and 506(i) of I.P.C. Seeking quashment of same, this petition has been filed.



3.The learned Additional Public Prosecutor for the first respondent would submit that investigation was completed and a final report has also been filed on 22.01.2021 before the learned Judicial Magistrate, Vilathikulam and it has not been taken on file till date. Hence, the prayer sought for in this petition has become infructuous and nothing survives for further adjudication.

4.In view of the submission made by the learned Additional Public Prosecutor, there shall be a direction to the learned Judicial Magistrate, Vilathikulam, to take the final report on file as expeditiously as possible as per law.

5.With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate,
Vilathikulam, Thoothukudi District.

2.The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KK(26.05.2021) 2P 4C

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