



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5649 of 2021

and

Crl.M.P(MD) No.3249 of 2021

Abugulam Mohammed

... Petitioner/Sole Accused

Vs.

1.State through

The Inspector of Police,
District Crime Branch,
Theni District.
(Crime No.04/2021)

... Respondent No.1/
Complainant

2.Rajesh Kannan

...Respondent No.2/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the First Information Report in Crime No.04 of 2021 dated 16.02.2021 alleged offence under Sections 407, 420 of I.P.C., on the file of the first respondent police and quash the same as illegal.

For Petitioner : Mr.M.Maran

For R-1 : Mr.R.Anandharaj
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking quashment of the First Information Report in Crime No.04 of 2021, dated 16.02.2021, on the file of the first respondent police.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that due to mistake of identity, summon has been wrongly issued to the petitioner, it will be withdrawn, since the petitioner may not be required for the investigation.



3. According to the learned counsel for the petitioner, only the petitioner's name is mentioned in the first information report.

4. As submitted by the learned Additional Public Prosecutor, it is seen that it is a mistake of identity and the respondent police is also going to delete the petitioner's name from the First Information Report. Nothing survives in this petition for further adjudication. Accordingly, this Criminal Original Petition stands closed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// 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 Inspector of Police,
District Crime Branch,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. [MD] No. 5649 of 2021
20.04.2021

KM(27.05.2021) 2P 3C