



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P. (MD)No.9538 of 2019

1.B.Vijayakumar

2.C.Rajkumar

3.M.R.Vignesh

... Petitioners/

Accused 1, 2 & 4

vs.

1.State represented by
The Inspector of Police,
K.K.Nagar Police Station,
Trichy City,
Trichy District.
(Crime No.462 of 2017)

... 1st Respondent/ Complainant

2.Sriram

... 2nd Respondent/
De-facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records pertaining to the impugned FIR in Crime No.462 of 2017 dated 12.06.2017, on the file of the first respondent police and to quash the same as illegal.

For Petitioner : Mr.K.Sivabalan

For Respondents : Mr.R.Sivakumar
Government Advocate (Crl. Side)
for R1

No appearance for R2

O R D E R

This criminal original petition has been filed seeking orders to call for the records pertaining to the impugned FIR in Crime No.462 of 2017 dated 12.06.2017, on the file of the first respondent police and to quash the same as illegal.

2.When the matter is taken up for hearing today, the learned counsel for the petitioners would submit they have already filed compromise memo stating that the de-facto complainant and the



petitioners/accused A.1, A.2 & A.4 entered into compromise and that the whereabouts of the third accused is not known.

3.The learned Government Advocate (Criminal Side) would submit that charge sheet has been laid and the case was taken on file in C.C.No.235 of 2020 for the offences under Section 427 r/w 34 IPC.

4.It is evident from the records that an FIR came to be registered for the offences under Section 3(1) Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 but charge sheet has only been laid for the offences punishable under Section 427 r/w 34 IPC. Considering the above submissions, nothing survives for further adjudication. The petitioners are at liberty to approach the learned Magistrate to work out their remedies in accordance with law.

5.In the result, this criminal original petition is dismissed as infructuous.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

csm

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,
K.K.Nagar Police Station,
Trichy City,
Trichy District.

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

Crl.O.P. (MD)No.9538 of 2019

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