



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI OP(MD)No.9233 of 2021

WEB COPY

Sridharan

... Petitioner / 2nd Accused

vs.

1.The State, rep.by
its Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.281 of 2017)

...1st respondent/complainant

2.Thiyagarajan

...2nd respondent/
defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records relating to the impugned FIR in Crime No.281 of 2017 on the file of the first respondent police and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.E.Antony Sahaya Prabhakar
Additional Public Prosecutor
for R1

ORDER

Heard the learned counsel on either side.

2.The petitioner is figuring as A2 in Crime No.281 of 2017 on the file of the first respondent for the offences under Sections 147, 148, 341, 294(b), 353 and 506(2) of IPC. I went through the contents of the FIR. It is seen that on 10.04.2017 at around 03.00 PM, the accused were indulging in a noisy behavior. When the police party asked to disperse, the first accused is said to have brandished a knife and threatened the police. That led to the registration of the impugned FIR. Though the FIR was registered as early as on 10.04.2017, till date, final report has not been filed. Since a specific overact has been attributed only against the first accused, it may not be proper to implicate the other persons as accused. Therefore, taking into account the lapse of time, the first respondent is directed to file final report before the



jurisdictional court against the first accused Palani alone. The
impugned FIR is quashed as regards the petitioner herein. The
criminal original petition stands allowed.

Sd/-

Assistant Registrar (CS-II)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

skm

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,
Kenikkarai Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of the Madras High Court, Madurai.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-39072[F] dated
16/12/2021)

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_RD(12.01.2022) 2P 4C