



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.10262 of 2021
and
Crl.M.P. (MD) .No.5244 of 2021

A.Thulasi ... Petitioner/Accused No.4

Vs.

1.The State
rep. by Sub Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No.39 of 2021) ...1st Respondent/Complainant

2.Clinton ...2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to quash the FIR in Crime No.39 of 2021 dated 04.02.2021 pending on the file of the first respondent police in so far as the petitioner is concerned.

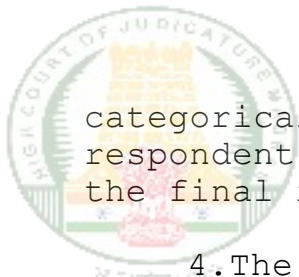
For Petitioner : Mr.C.Christopher
For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
For R2 : Mr.G.Thalai Mutharasu

ORDER

Heard the learned Counsel on either side.

2.The second respondent herein is the defacto complainant in Crime No.39 of 2021 registered on the file of the Kottar Police Station for the offences under Section 147, 148, 294(b), 324, 307 and 506(2) IPC. The defacto Complainant was attacked. The defacto complainant had named one Mukesh and seven other persons as accused. However, the petitioner has been roped in by the police as A4 in this case. Seeking for quashing of FIR as far as he is concerned, this petition has been filed.

3.The defacto complainant also categorically states that the petitioner was not involved in the occurrence. The first respondent shall carry on with the investigation and file final report. The petitioner herein has not been shown as accused. In view of the



categorical statement made by the defacto complainant, the first respondent is directed not to include the petitioner while filing the final report.

4.The Criminal Original Petition is allowed. Consequently, the Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sn

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 Sub Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No.39 of 2021)

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

+1 CC to M/s.C.CHRISTOPHER,Advocate (SR-39555[F] dated20/12/2021)

Crl.O.P.(MD)No.10262 of 2021

17.12.2021

PK (CO)

AP (07.01.2022) 2P 4C