



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2021

CORAM :

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

Crl.O.P. (MD)No.9827 of 2021

and Crl.M.P(MD)No.5000 of 2021

WEB COPY

Bhuvaneshwaran

... Petitioner/Accused NO.5

Vs.

1.The State of Tamil Nadu

Rep. by the Inspector of Police,
Aruppukottai Taluk Police Station,

Virudhunagar District

..1st Respondent/Complainant

2.Alagumuthupandi

... 2nd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to Crime No.74 of 2019 on the file of the first respondent and quash the same in respect of the petitioner.

For Petitioner : Mr.J.Anandakumar

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

This petition is filed to quash the First Information Report in Crime No.74 of 2019 on the file of the first respondent police.

2.The case of the petitioner is that he has been arrayed as accused in the aforesaid case based on the complaint given by the defacto complainant. Even as per the First Information Report, there is no specific overt act has been attributed against the petitioner and mere presence of the petitioner is only mentioned in the First Information Report, that would not give any colour that he is also involved in the said occurrence. Further, he has been selected in the Uniformed Service and is about to join the duty and on that ground this petition is filed.

3. The learned Additional Public Prosecutor submits that based upon the complaint given by the defacto complainant, case has been registered for the offences under Sections 147, 148, 294(b), 324 and 506(ii) IPC and the final report is made ready on 10.06.2021 itself. Due to pandemic situation, the first respondent is not in a position to present the final report before the concerned court.

4. Let the final report be presented before the concerned court within a period of one week from today and a copy be circulated to the learned counsel for the petitioner. Liberty is granted to the



petitioner to work out his remedy if he is so aggrieved by the allegations made against him in the final report.

5. With the above direction and granting such liberty, this petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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,
Aruppukottai Taluk Police Station,
Virudhunagar District

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

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-23808[F] dated 26/07/2021)

CrI.O.P. (MD)No.9827 of 2021
and CrI.M.P(MD)No.5000 of 2021
23.07.2021

ES (CO)

TR(02.08.2021) 2P 4C