



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CRL OP (MD) No.14143 of 2021

and CRL MP (MD) No.7404 of 2021

WEB COPY

V.Yogaraj ... Petitioner/ Accused No. 4
-Vs-

1.The State represented by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District. ... 1st Respondent/ Complainant

2. Hariharan ... 2nd Respondent/ Defacto Complainant

PRAYER: The Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.925 of 2021 on the file of the Inspector of Police, Batlagundu Police Station, Dindigul District and quash the same as against the petitioner.

For Petitioner : Mr.K.Anbumanikandan

For Respondents : Mr.K.Sanjai Gandhi

Government Advocate (Crl. side)

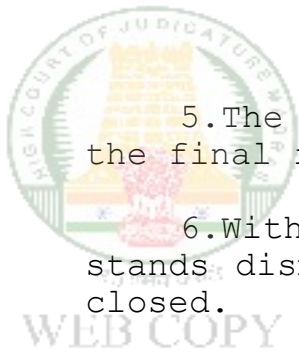
O R D E R

This petition has been filed seeking quashment of FIR in Crime No.925 of 2021 on the file of the first respondent herein.

2.The case has been registered in Crime No.925 of 2021 for the offence punishable under Sections 294(b), 323, 506(ii) of IPC on 21.07.2021. The learned counsel for the petitioner submitted that the name of the petitioner is not found in the FIR. This creates suspicion with regard to the involvement of the petitioner in the occurrence. In the FIR, it has been stated that totally there are four accused persons assaulted the defacto complainant. But only name of the three accused persons have been mentioned. By taking advantage of the same, the petitioner was arrested by the respondent police. The petitioner was not involved in any other offence.

3.The learned Additional Public Prosecutor submitted that investigation has been completed and final report made ready and to be filed before the concerned Court.

4.The involvement of the petitioner cannot be a matter of discussion and consideration in this petition. It is a matter of trial. It has been stated in the FIR that 3 named and one known person assaulted him.



5.The petitioner has to work out his remedy after going through the final report if so required in the manner known to law.

6.With the above liberty, this criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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, Batlagundu Police Station,
Dindigul District.

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

CRL OP (MD) No.14143 of 2021

23.09.2021

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