



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 01.10.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

Crl.O.P.(MD)No.14793 of 2021  
and  
Crl.M.P.(MD)No.7863 of 2021

G.Ganesan ... Petitioner/Accused No.3

Vs.

1.State represented by  
The Inspector of Police,  
Kadambur Police Station,  
Kadambur,  
Thoothukudi District.  
(In Crime No.38/2021) ... 1<sup>st</sup> Respondent/Complainant

2.Sudalaimuthu ... 2<sup>nd</sup> respondent/Defacto Complainant

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned FIR in Crime No.38 of 2021, dated 07.04.2021, on the file of the first respondent and to quash the same as illegal in so far as the petition is concerned.

For Petitioner : Mr.M.Sudha Rani

For Respondents : Mr.RMS.Sethuraman  
Additional Public Prosecutor

**ORDER**

This petition has been filed seeking quashment of impugned FIR in Crime No.38 of 2021, dated 07.04.2021, on the file of the first respondent and to quash the same as illegal in so far as the petition is concerned.

2.The learned counsel for the petitioner submitted that this is a case in counter case and the entire event that has been taken place inside the polling booth which has been captured by CCTV camera, which is available in the booth. But a counter blast complaint has been given in Crime No.37 of 2021. This complaint has been filed and case has also been registered.



3.Except stating the above ground, no other ground has been made out in this petition. As stated in the petition, whether the incident took place or not, cannot be matter for consideration in this petition. It is a matter of investigation and quashment of FIR at this stage is not possible and also not proper.

4.The learned Additional Public Prosecutor submitted that investigation has been completed and the final report is made ready on 02.07.2021 and after completing the final process, they will file it before the concerned Court within a short period.

5.I find no merit in this case. After filing the final report, if the petitioner is aggrieved by the same, he can workout his remedy through appropriate proceedings.

6.With the above liberty, this criminal original petition is 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,  
Kadambur Police Station,  
Kadambur,  
Thoothukudi District.

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

**Crl.O.P. (MD)No.14793 of 2021**

**01.10.2021**

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