



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.01.2021

WEB COPY

PRESENT

THE HONOURABLE MRS .JUSTICE R.HEMALATHA

CRL OP(MD) . No.15972 of 2020

and

Crl.M.P(MD) .No.7892 of 2020

1.Pandiyan @ Pandi

2.Prabhu

... Petitioners/A1 & A2

Vs

1.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.

(Crime No.1957 of 2020)

... 1st Respondent/Complainant

2.K.V.Rajkumar

...2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records pertaining to the first information report in Crime No.1957/2020 on the file of the first respondent police and quash the same.

For Petitioner : Mr.K.Neelamegam

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor (for R1)

ORDER

The petitioner has been filed under Section 482 Cr.P.C., to quash the FIR in Crime No.1957 of 2020 on the file of the Usilampatti Town Police Station, Madurai District.

2.The primordial submission of the learned counsel appearing for the petitioner is that, no offence is made out as alleged in the First Information Report and therefore, the FIR has got to be quashed. His further contention is that, the complaint was lodged by the defacto complainant only in order to wreck vengeance against the petitioners.

3.Mr.S.Chandrasekar, learned Additional Public Prosecutor takes notice on behalf of the first respondent and would submit that based on the complaint given by the second respondent/Revenue Divisional Officer, FIR in Crime No.1957 of 2020 came to be registered by the



Special Sub-Inspector of Police, Usilampatti Police Station and that the investigation is still pending.

4.The main contention of the petitioner is that, since the petitioners were actively involved in the removal of illegal encroachment on the Government land, the second respondent lodged a false complaint against them. Such allegations alone cannot be a ground for quashing the entire FIR. In such circumstances, I do not find any reason to quash the FIR. Therefore, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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

The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.

ORDER

IN

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