



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHANCrl.O.P.(MD)No.18737 of 2021

Sathishkumar

... Petitioner / Sole Accused

Vs.

The Inspector of Police,
Umachikulam police station,
Madurai District.
(Crime No.693 of 2020)

... Respondent/Defacto
Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the case in Crime No.693 of 2020 on 13.07.2020 on the file of the Inspector of Police, Oomachikulam police station, Madurai District and quash the same.

For Petitioner : Mr.U.Antony Santhosh
For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2. The impugned First Information Report was registered for the offence under Section 188 of I.P.C. based on the information received by the Sub Inspector of Police. It has been held in the decision reported in 2018 2 LW (Crl) 606 [Jeevanandham and others Vs. The Inspector of Police, Velayuthampalayam Police Station, Karur District] that a police officer cannot register the First Information Report for any of the offences falling under Sections 172 to 188 of I.P.C. The case on hand is squarely covered by the aforesaid decision.



3. Therefore, the impugned First Information Report is quashed. This criminal original petition is allowed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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,
Umachikulam police station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD)No.18737 of 2021
29.11.2021

NSN(CO)
SB(13.12.2021) 2P 3C