



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2021

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.18340 of 2021
and
Crl.M.P.(MD)No.10067 of 2021

Kartheepan

... Petitioner

Vs.

1.The Inspector of Police,
Kadayam Police Station,
Tirunelveli District.

2.Chermakani

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for records pertaining to the Crime No.246 of 2020 on the 1st respondent and quash the same as illegal.

For Petitioner : Mr.R.Mathava Selvam

For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor for R1.

O R D E R

This criminal original petition has been filed for quashing the impugned FIR in Crime No.246 of 2020 registered on the file of the first respondent.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor pointed out that it is not a case in which the inherent powers of this cannot be invoked. The defacto complainant has alleged that he suffered injuries at the hands of the petitioner herein. Therefore, considering the contentions of the petitioner would involve embarking on a factual enquiry. While exercising jurisdiction under Section 482 of CrPC, I cannot do so. Therefore, this criminal original petition is dismissed. The defences of the petitioner are left open. The first respondent is directed to file final report within a period of four weeks from the



date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

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Sub Assistant Registrar(CS)

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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,
Kadayam Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench Madras High Court,
Madurai.

Crl.O.P (MD) No.18340 of 2021
24.11.2021

MGJ(21.12.2021) 2P 3C