



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.20613 of 2021

Leo Stanny

... Petitioner/Sole Accused

Vs.

State rep by its

1.The Inspector of Police,
Nesamony Nager Police Station,
Kanyakumari District.
(Crime No.306 of 2021)

...Respondent/Complainant

2.G.Robert Jain

... Respondents/Defacto
Complainants

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records pertaining to the FIR in Crime No.306 of 2021 pending on the file of the Inspector of Police, Nesamony Nager Police Station, Kanyakumari District and quash the same.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1.

O R D E R

This criminal original petition has been filed to quash the FIR in Crime No.306 of 2021 registered on the file of Nesamony Nagar Police Station.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that final report has been filed dropping action in the matter before the Judicial Magistrate No.II, Nanguneri. It is stated that the final report was filed on 16.12.2021. The jurisdictional Magistrate is directed to accept the final report and record the same and close the matter. Therefore, no further orders are necessary in this criminal original petition.

3.At this stage, the learned counsel for the petitioner states that the petitioner has applied for passport and that on account of the pendency of this case, it may get delayed.



4.The apprehension of the petitioner is unnecessary. This is because even pendency of an FIR cannot be a ground for denial of passport. In this case, the police themselves have filed a final report dropping action in the matter. I am certain that if the petitioner informs the Regional Passport Officer about the same, the registration of the impugned FIR against the petitioner will not be an impediment at all.

5.With these observations, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2022

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,
Nesamony Nagar Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Judicial Magistrate No.II,
Nanguneri.

+1 CC to M/s.S.XAVIER RAJINI, Advocate (SR-40018[F] dated 22/12/2021)

Crl.O.P (MD)No.20613 of 2021
22.12.2021

RK(06/01/2021) 2P 5C