



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2021

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P(MD)No.16992 of 2017

and

Crl.M.P(MD)No.11180 of 2017

WEB COPY

Subbu Pandram @ Murugesan

... petitioner / petitioner

Vs.

1.State of Tamil Nadu

represented by

The Inspector of Police,

T.Kallupatti Police Station,

Madurai District.

[Crime No.285 of 2016]

2.Mariappan

...respondents/respondents

Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining and to quash the FIR against the petitioner in Crime No.285 of 2016 dated 23.12.2016 registered on the file of the 1st respondent police.

For Petitioner

: Mr.P.M.Vishnuvarthanan

For Respondent

: Mr.T.Senthil Kumar,

No.1

Government Advocate (Crl Side)

For Respondent

: Mr.S.Ramasamy

No.2

ORDER

This petition is filed by accused No.1 to quash the case in Crime No.285 of 2016 on the file of the Inspector of Police, T.Kallupatti Police Station, Madurai District.

2.On the complaint of the second respondent / *defacto* complainant, the first respondent police registered a case in Crime No. 285 of 2016 as against this petitioner and two others for the offence under Sections 441 and 506(i) IPC and the same is still pending.

3.The learned Counsel for the petitioner submitted that the petitioner is no more and even if any offence is made out against this petitioner, the charges would get abated as against this petitioner. He also undertook to file a memo along with death certificate of the petitioner in this regard.

4.The learned Standing Counsel for the State submitted the investigation in Crime No.285 of 2016 has been concluded and the final report referring the case as mistake of fact is forwarded to the Public Prosecutor for obtaining opinion.



5.In view of the above, since the petitioner is no more and also in view of the conclusion arrived at by the investigation agency to close the case as mistake of facts, no further order is required to be passed in this petition.

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6.In fine, this criminal original petition is closed. However as undertaken by the learned Counsel for the petitioner, he shall file a memo along with death certificate of the petitioner before the Registry and on receipt of the same, the Registry shall issue the order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

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,
T.Kallupatti Police Station,
Madurai District.

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

+1 CC to M/s.P.M.VISHNU VARTHANAN, Advocate (SR-22226[F] dated 13/07/2021)

RKN (28.07.2021) 2P 4C