



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4859 of 2022

and

Crl.M.P.No.2552 of 2022

Mohamed Ismail,
S/o.Musthapa @ Musthafa

... Petitioner

Vs

State Represented by
The Sub Inspector of Police,
Poraiyar Police Station,
Nagapattinam.
(Crime No.659 of 2020)

... Respondent

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.659 of 2020 on the file of the respondent police and quash the same.

For Petitioner : Mr.A.Raja Mohamed

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, to call for the records in Crime No.659 of 2020 on the file of the respondent police and quash the same.

2. The learned counsel appearing for the petitioner would submit that the facts of the case are similar to the case covered in the decision reported in 2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018 and in the case of Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in Crl.O.P(MD).No.7922 of 2019 etc batch dated 30.08.2019.

3. Mr.A.Gokulakrishnan, learned Additional Public



Prosecutor appearing for the respondent would submit that the facts of the case are similar to the facts covered under the Judgment referred above.

4. Heard both sides and perused the materials available on record.

5. The facts of this case is similar to the facts covered by the Judgment of this Court reported in 2018 2 LW (Cr1) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018 and in the case of Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in Cr1.O.P(MD) No.7922 of 2019 etc batch dated 30.08.2019.

6. In view of the above, no useful purpose will be served by allowing the proceedings to be continued against all the accused. This Criminal Original Petition stands allowed and considering the facts and submissions, the proceedings in Crime No.659 of 2020 on the file of the Sub Inspector of Police, Poraiyar Police Station, Nagapattinam is hereby quashed in respect of all the accused. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

arb

To

1.The Sub Inspector of Police,
Poraiyar Police Station,
Nagapattinam.

2.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.A.Raja Mohamed, Advocate SR.No.14033

Cr1.O.P.No.4859 of 2022
and
Cr1.M.P.No.2552 of 2022

NK(CO)
GN(21/03/2022)