

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRL.O.P.NO.7454 OF 2019

AND

CRL.M.P.NO.4111 OF 2019

R.Ramu

... Petitioner

Vs.

1. State rep.by
The Inspector of Police,
Dharmapuri Town Police Station,
Dharmapuri District.
2. Murali

... Respondents

Prayer: Criminal Original Petition is filed under section 482 of CR.P.C., to call for the records relating to the first information report in Crime No.881 of 2018 dated 19.12.2018 on the file of the 1st respondent and quash the same.

For Petitioner	:	Mr.I.Arockia Selvaraj
For Respondents	:	Mr.N.S.Suganthan, for R1 Government Advocate (Crl.Side) No Appearance for R2

O R D E R

This petition is filed to call for the records relating to the first information report in Crime No.881 of 2018 dated 19.12.2018 on the file of the 1st respondent and quash the same.

2. A subordinate in the Transport Department, being aggrieved by the suspension order has gone to the depot and picked quarrel with the defacto complainant at Dharmapuri Bharathipuram Regional, General Manager Office on 19.12.2018 at about 11.00 am. The said matter was brought to the notice of the police by the defacto complainant and case in Crime No.881 of 2018 came to be registered by Dharmapuri Police, for offences under Sections 294(b), 353, 8506(i) IPC.

3. To quash the said FIR, the present petition is filed alleging that the dispute is purely civil in nature between Master and Servant that has been converted into criminal case just to harass the petitioner. The complaint, instead of issuing memo had prejudice the first respondent to register FIR and settle his personal dispute with the petitioner. Hence, first information has to be quashed.

4. This Court finds no merit in the said submission of the petitioner to quash the FIR, while clear prima facie case is made out against him for investigation, regarding his conduct of interfering with the work of the defacto complainant from discharging his public duty and abusing him in the public place and threatening others of dire consequence. The petitioner has involved in such unruly behavior causing nuisance in the public place and threat to the public servant because he was placed under suspension. A person who has committed crime in work place cannot dictate the employer how to take action against him.

5. Having allegedly committed the crime, he cannot complaint that the matter is purely civil in nature between Master and Servant. Being a public servant and alleged to have abused his superior officer for issuing suspension order, has to face the investigation and cannot pray for quashing the FIR. Hence, the criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

AT

To

1. The Inspector of Police,
Dharmapuri Town Police Station,
Dharmapuri District.
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.7454 of 2019 and
Crl.M.P.No.4111 of 2019

KV(CO)
RLP(28/07/2022)