



Crl.O.P.No.12887 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

CORAM:

**THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA
KURUP**

Crl.O.P.No.12887 of 2021

and

Crl.M.P.Nos.1697/2022& 7121 of 2021

Ganesh Kumar

... Petitioner

Versus

1.The State, represented by
Inspector of Police
All Women Police Station
Vellore.
(Crime No.18/2020)

2.Sai Prasanthi

3.The Inspector of Police
CBCID, Vellore
(Crime No.1 of 2021)
(R3 impleaded as per order
in Crl.M.P.No.11618/2021
in Crl.O.P.No.12887/2021
dated 18.11.2021)

...Respondents



Crl.O.P.No.12887 of 2021

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned FIR registered in Crime No.18 of 2020 on the file of the Inspector of Police, All Women Police Station, Vellore, the first Respondent herein and quash the same as illegal.

For Petitioner : Mr.S.Mathivanan

For Respondents : Mr.L.Baskaran for R1 & R3
Government Advocate (Crl.Side)

: R2- No Appearance

ORDER

This petition had been filed to call for the records pertaining to the impugned FIR registered in Crime No.18 of 2020 on the file of the Inspector of Police, All Women Police Station, Vellore, the first Respondent herein and quash the same as illegal.

2. The Learned Counsel for the Petitioner sought time to file a compromise memo stating that the parties have agreed to marry.



Crl.O.P.No.12887 of 2021

WEB COPY

3. On verification, the Learned Government Advocate (Crl.Side) submitted that on earlier occasion the Criminal Original Petition filed by the same Petitioner to quash the First Information Report was dismissed with the direction that the CBCID has to investigate the matter as it involves larger interest of the Society. Based on the same, All Women Police Station, Vellore was directed to hand over the investigation CD file to the CBCID Police. Accordingly, then Director General of CBCID had issued the proceedings appointing the Investigation Officer.

4. Now, the Investigation had proceeded and almost investigation has been completed. On perusal of the CD file it is found that there are similar allegation against the very same Petitioner from different women and in those facts and circumstances, this is not a fit case to quash the First Information



Crl.O.P.No.12887 of 2021

WEB COPY

Report, on the ground that the Petitioner herein and the second Respondent had arrived at compromise. If it is allowed the larger interest of the society will be lost by the atrocities of the Petitioner herein, who is employed in the Government Job. The Director General of Police is also directed to conduct the enquiry regarding the same, which resulted in the registration of the First Information Report against him. Further, the Director General of Prison is directed to initiate Departmental action against the Petitioner under the Government Servants conduct Rules, regarding the conduct of the Government servant. On perusal of the Case Diary from the Learned Government Advocate (Crl.Side) this is not a fit case for quashing the First Information Report on the pretext of “compromise, arrived between the Petitioner and the second Respondent.”

5. The second Respondent submitted that in this petition the second respondent already changed her mind after an earlier



CrI.O.P.No.12887 of 2021

WEB COPY

compromise and that cannot be considered. The investigation has been proceeded and pending final report, this is not a fit case for quashing the First Information Report, when the Learned Single Judge had transferred the investigation on earlier occasion and the very same Petitioner had filed this petition seeking to quash the First Information Report.

6. Accordingly, this Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

30.06.2022

Index: Yes/No
Internet: Yes/No
dna



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CrI.O.P.No.12887 of 2021

SATHI KUMAR SUKUMARA KURUP., J.
dna

To

1.The Special Court for Land Grabbing Cases, Erode.

2.The Inspector of Police
Anti Land Grabbing Cell
Erode.
(Crime No.41/2011)

3.The Public Prosecutor
High Court, Madras.

CrI.O.P.No.12887 of 2021
and
CrI.M.P.Nos.1697/2022& 7121 of 2021

30.06.2022