

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.Nos.12304, 12251 & 12211 of 2022

C.Vasanth

... Petitioner in
all petitions

-Vs-

1. The State Rep. by
The Inspector of Police,
T-11, Thirunindravur Police Station,
Thiruvallur District.

... 1st Respondent in
Crl.O.P.Nos.12251 &
12304 of 2022

2. Sheik Dawood

... 2nd Respondent in
Crl.O.P.No.12304 of 2022

1. The State Rep. by
The Inspector of Police,
T-9, Pattabiram Police Station,
Thiruvallur District.

2. L. Murugesan

... 1st & 2nd Respondents in
Crl.O.P.No.12211 of 2022

COMMON PRAYER:-

Criminal Original petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR No.1421 of 2013, FIR No.1347 of 2013 and 1032 of 2013 respectively on the file of the first respondent Police and quash the same.

For Petitioner : Mr.M.Gnanasekar
in all Crl.O.P's

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor
For R1
in all Crl.O.P's

C O M M O N O R D E R

These Criminal Original Petitions have been filed to call for the records in FIR No.1421 of 2013, FIR No.1032 of 2013 and 1347 of 2013 on the file of the first respondent Police and quash the same.

2. It is the case of the petitioner that the defacto complainants have lodged a complaint against him alleging that he scolded the defacto complainants in filthy language and robbed a sum of Rs.350/-, Rs.760/- and Rs.350/-respectively in the year 2013. The first respondent police having registered the FIRs not proceeded with the enquiry. The petitioner completed his Law degree and not able to enroll due to pendency of the FIRs and moreover his career is affected. The second respondents/defacto complainants are not willing to pursue the case further and they have no objection to quash the FIRs registered against the petitioner and also filed an affidavit to that effect.

3. Heard both sides

4. It is the contention of the learned counsel for the petitioner that it is absolutely a false case initiated due to previous enmity and having registered FIRs in the year 2013, no progress has been made so far. The present FIRs are only a ground case for detaining the petitioner under Act 14 of 1982. Despite registration of FIRs, the first respondent police has not conducted any investigation and pendency of the FIR infact cause much inconvenience to the petitioner's career. He is not even able to get enrolled, despite a degree obtained by him.

5. When this Court posed a question to the respondent police who are present before this Court as to what is the nature of investigation carried out by them for all these years, they were not able to give any valid reason. The conduct and action of the police agency would clearly indicate that it is a case filed as ground case for detaining the petitioner under Act 14 of 1982.

6. Be that as it may, even assuming that the allegations appear to be true and keeping the FIR pending fore more than 10 years itself is violation of the very concept of the speedy trial. The concept of speedy trial is not only to dispose the case but also to investigate and conduct fair trial including fair investigation. One cannot be taken for a ride by keeping the FIR pending for more than 10 years affecting the petitioner's carrier. The above facts clearly indicate that these FIRs are nothing but abuse of process of law and no

progress has been made, till now the so called defacto complainants were not examined.

7. With the above observations, these Criminal Original Petitions are allowed. FIR stands quashed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

dpq

To

1. The Inspector of Police,
T-11, Thirunindravur Police Station,
Thiruvallur District.
2. The Inspector of Police,
T-9, Pattabiram Police Station,
Thiruvallur District.
3. The Public Prosecutor,
High Court, Madras.

+3ccs to Mr.M.Gnanasekar, Advocate, S.R.Nos.33345 to 33347

CRL.O.P.NOS.12304, 12251
& 12211 OF 2022

SKM(CO)
PBS/13/07/2022