



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2024 of 2022
and
Crl.M.P(MD)No.1473 of 2022

Kannan

...Petitioner/
Accused(Rank not known)

Vs.

1.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No.106 of 2021)

...Respondent/Complainant

2.R.Balamurugan,
The Sub-Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

... Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash all the further proceedings in pursuant to the impugned FIR in Cr.No.106 of 2021 on the file of the Inspector of Police, Thirumangalam Town Police Station, Madurai District insofar as the petitioner is concerned.

For Petitioner : Mr.S.Karthikeyan
For Respondents : Mr.B.Thanga Aravindh
Govt. Advocate (Crl.Side)

O R D E R

Heard the learned Counsel appearing for the petitioner and also the learned Government Advocate appearing for the respondents.

2.The petitioner wants this Court to quash the impugned FIR insofar as the petitioner is concerned.

3.According to the learned Counsel for the petitioner, the respondent police apprehended one Madasamy and only based on his confession, they are seeking to implicate him. Though on the strength of the confession of co-accused, a person cannot be



convicted, still at the stage of investigation, there is no ground to quash the impugned FIR.

4.The petitioner should necessarily wait till the final report is filed. If cognizance is taken and if there is no other material other than the confession of the co-accused, then alone, the petitioner will be entitled to move this Court for relief. The petitioner has to necessarily wait till the filing of the final report.

5.Leaving open the petitioner's contentions, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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,
Thirumangalam Town Police Station,
Madurai District.
- 2.The Sub-Inspector of Police,
Thirumangalam Town Police Station,
Madurai District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD)No.2024 of 2022
02.02.2022

IMS (CO)
GC(15.02.2022) 2P 4C