



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1323 of 2022
and
Crl.M.P. (MD)No.959 of 2022

P.Murugesan ... Petitioner/Accused No.33
Vs.

1.The State rep by
The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
(Crime No.179 of 2021) ... 1st Respondent/Complainant

2.Karuppasamy,
Special Sub Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District. ... 2nd Respondent/
Defacto Complainant

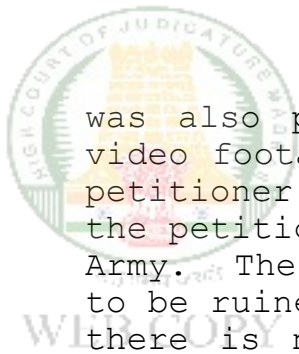
Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the FIR in Crime No.179 of 2021 pending on the file of the 1st respondent police and quash the same as illegal so far as the petitioner is concerned.

For Petitioner : Mr.G.Naveenkumar
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side)

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

2.The petitioner is figuring as A33 in Crime No.179 of 2021 registered on the file of the first respondent. The petitioner belongs to Punavasal village. One person had died under suspicious circumstances. In this regard, the villagers had staged a dharna. The police asked them to disperse. It is stated that there was stone throwing and as many as three police men suffered injuries. As many as 51 persons had been named in the FIR. I wanted to know if there is any specific material to connect the petitioner with the crime. It is quite possible that as an youngster, the petitioner



was also present along with the other villagers. There is also video footage of the occurrence. There is nothing to show that the petitioner had pelted stoned at the police. It is now stated that the petitioner had now received a call letter for joining the Indian Army. The petitioner is aged about 19 years. His future ought not to be ruined, on account of the pendency of the impugned FIR. Since there is no material to link the petitioner with the crime, the impugned FIR is quashed as far as the petitioner is concerned. I make it clear that this benefit of this order will not enure in favour of the accused. They will have to face prosecution independently on their own merits.

3.The criminal original petition is allowed accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
Kadaladi Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.1323 of 2022
03.02.2022

SK(CO)
GC(18.02.2022) 2P 3C