



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.3103 of 2022

and CRL.M.P. (MD)No.2325 of 2022

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...Petitioner/Accused No.2

Vs

1. The State represented by
The Inspector of Police,
S.S.Colony Police Station,
Madurai City.
(Crime No.71/2017) ... 1st Respondent/Complainant

2. Selvaraj ...2nd Respondent/Defacto Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the impugned Charge Sheet in Crime No.71 of 2017 on the file of the Respondent No.1 and quash the same as illegal in so far as the petitioner is concerned.

For Petitioner : Mr.Mohammed Yusuf
For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)
for R1
: N.Mohamed Ayyadurai for R2

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.71 of 2017 on the file of the first respondent Police.

2.The learned counsel appearing for the petitioner would submit that the facts of the case are exactly similar to the case covered in the decision reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018** and in the case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other** in batch of cases in **Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.**

3. The learned Government Advocate appearing for the respondent police would submit that the facts of the case are similar to the facts covered under the Judgment referred above.



4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent police.

5. Perused the materials on record.

6. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Cr1) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018 and in case of Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Cr1.O.P(MD) No.7922 of 2019 dated 30.08.2019**. Accordingly, the proceedings in Crime No.71 of 2017 on the file of the first respondent Police is hereby quashed insofar as the petitioner alone and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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,
S.S.Colony Police Station,
Madurai City.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.MOHAMED AYYADURAI, Advocate (SR-15167[F]
dated 29/03/2022)

ORDER
IN

CRL OP(MD) . No.3103 of 2022
and CRL.M.P. (MD) No.2325 of 2022

Date : 29/03/2022

NSN(CO)

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