



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2022

CORAM:

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

Crl.O.P.(MD)No.3963 of 2020

&

Crl.M.P.(MD)No.2192 of 2020

1. Shekar @ Sasi

2. Lazar

...Petitioners/Accused No 1 & 2

Vs.

1. State Represented by
The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No.38 of 2020)

...Respondent/Complainant

2. George Jebasingh

3. G.Mohanan

****R3 impleaded as per order of this Court dated 07.03.2022 in CRL MP (MD).No. 2428 of 2020***

... Respondents/Defacto complainant

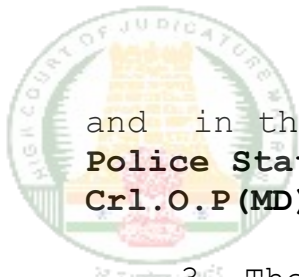
Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the Impugned FIR in Crime No.38 of 2020 dated 16.02.2020 for offences under sections 143 and 188 of Indian Penal Code and 3A of Tamil Nadu Town Nuisance Act, 1889 pending on the file of the respondent No.1 and quash the same as illegal as against the petitioners alone.

For Petitioners	: Mr.J.Pandi Dorai
For Respondent	: Mr.B.Thanga Aravindh
R1	Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.38 of 2020 on the file of the first respondent police.

2.The learned counsel appearing for the petitioners 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 (Crl.Side) 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 **Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019**. Accordingly, the proceedings in Crime No.38 of 2020 on the file of the respondent police is hereby quashed insofar as the petitioners alone and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// 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,
Karungal Police Station,
Kanyakumari District.



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

+1 CC to M/s.J.PANDI DORAI, Advocate (SR-10547[F] dated
08/03/2022)

Crl.O.P. (MD)No.3963 of 2020
&Crl.M.P. (MD)No.2192 of 2020
07.03.2022

CK (CO)
KB (18.04.2022) 3P 4C