



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.4476 of 2022
and
Cr.M.P(MD)No.3180 of 2022

M.Ayappan @ Iyappan

... Petitioner/
Sole Accused

Vs.

1.The State represented by
The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari,
Kanyakumari District.
(Crime No.221 of 2020)

... 1st Respondent/
Complainant

2.S.Viswambaran

... 2nd Respondent/
Defacto Complainant

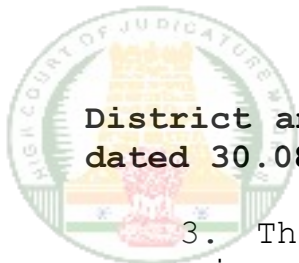
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to the FIR in Crime No.221 of 2020 on the file of the Inspector of Police, Kanyakumari Police Station, Kanyakumari, Kanyakumari District and quash the same.

For Petitioner : Mr.S.Palani Velayutham
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal Side)
for R.1

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.221 of 2020 on the file of the Inspector of Police, Kanyakumari Police Station, Kanyakumari, Kanyakumari District.

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 Additional Public Prosecutor (Criminal Side) appearing for the first respondent 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 (Criminal Side) appearing for the respondents.

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.221 of 2020 on the file of the 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

// True Copy //

/ /2022

Sub Assistant Registrar

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,
Kanyakumari Police Station,
Kanyakumari, Kanyakumari District.

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

Crl.O.P(MD)No.4476 of 2022
09.03.2022

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<https://hcservices.ecourts.gov.in/hcservices/>