



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.5553 of 2022

and

Crl.M.P(MD) No.3955 of 2022

Prabhakaran

...Petitioner/Accused No.12

Vs.

1. The State through
The Inspector of Police,
South Gate Police Station,
Madurai City,
Madurai District.
(Crime No.18 of 2021) ...Respondent 1/De Jure Complainant
2. P.Somu,
The Sub Inspector of Police,
1405, South Gate Police Station,
Madurai District. ...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the entire records connected with the impugned FIR in Crime No.18/2021 dated 14/01/2021 on the file of Respondent No.1 and quash the same as/accused 12 so far as concerned as illegal.

For Petitioners : Mr.R.Alagumani

For Respondents : Mr.R.M.Anbunithi
No.1 & 2 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.18 of 2021 on the file of the 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 Additional Public Prosecutor appearing for the 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 Additional Public Prosecutor appearing for the respondent.

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 (Crl) 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.18 of 2021 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 (CS III)

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/ /2022

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
South Gate Police Station,
Madurai City, Madurai District.
2. The Sub Inspector of Police,
1405, South Gate Police Station,
Madurai District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-14624[F] dated 25/03/2022)
Crl.O.P.(MD) No.5553 of 2022
and
Crl.M.P(MD) No.3955 of 2022
25.03.2022

MGJ(04.04.2022) 2P 5C