



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2022

CORAM:

WEB COPY

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

Crl.O.P.(MD) .No.7709 of 2022
and
Crl.M.P(MD)No.5255 of 2022

Nithin Chandran

...Petitioner/
5th Accused

Vs.

1. The Inspector of Police
Manavalakurichi Police Station
Kanyakumari District
(Crime No.30 of 2018)
2. Syed Hussain
Inspector of Police
Manavalakurichi Police Station
Kanyakumari District

...2nd Respondent/
Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in respect of Crime No.30 of 2018 on the file of the first respondent and quash the same/A5 in so far as the petitioner is concerned.

For Petitioner	: Mr.D.Venkatesh
For Respondents	: Mr.R.M.Anbunithi
No.1	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.30 of 2018 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.30 of 2018 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-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

To

1. The Inspector of Police
Manavalakurichi Police Station
Kanyakumari District

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

+1 CC to M/s.D. VENKATESH, Advocate (SR-22170[F] dated 28/04/2022)

Crl.O.P. (MD) .No.7709 of 2022
and
Crl.M.P (MD) No.5255 of 2022
26.04.2022

RK(09/05/2022) 2P 4C