



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

WEB COPY

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

Crl.O.P.(MD)No.11622 of 2020

and

Crl.M.P(MD)No.413 and 5301 of 2020

R.Manikandan

...Petitioner/ Sole Accused

Vs.

1. State Rep.by

The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar.

(Crime No.312 of 2019)

... 1st Respondent/ Complainant

2. D.Parthiban

...2nd Respondent/ Defacto Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to Call for the records pertaining to the First Information Report in Crime No. 312/2019 on the file of the 1st Respondent and quash the same as illegal.

For Petitioner : Mr.A.Balaji

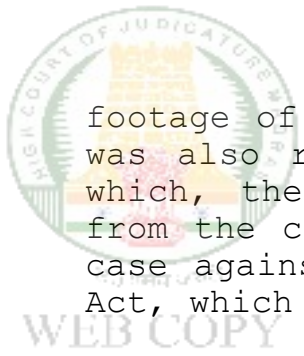
For Respondents : Mr.B.Thanga Aravindh
R1 Government Advocate(Criminal Side)

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 312/2019 on the file of the first respondent.

2.The first respondent registered a case against the petitioner in Crime No.312 of 2019, under Section 75(1)(c) of Tamil Nadu City Police Act, 1888. The Tamil Nadu City Police Act is applicable only for Madras City. Whereas, the first respondent belonging to Virudhunagar District, registered the offence under Tamil Nadu City Police Act.

3.That apart, when the petitioner was taken to custody on 06.10.2019, by the first respondent police, he was tortured and was beaten by the first respondent to hand over the original video



footage of the liquor party conducted at their Spinning Mills. It was also reported in the newspapers and weekly magazines. Due to which, the petitioner also sustained fracture and only to escape from the clutches of law, the first respondent police registered a case against the petitioner, that too under Tamil Nadu City Police Act, which is not applicable in Virudhunagar District.

4. Accordingly, this Criminal Original Petition is allowed and the impugned FIR in Crime No.312 of 2019, on the file of the first respondent is hereby quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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,
Virudhunagar East Police Station,
Virudhunagar.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CrI.O.P. (MD) No.11622 of 2020
18.03.2022

pnm
MS/25.03.2022/2P.3C