



CrI.O.P.(MD) No.15236 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

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THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15236 of 2022
and CrI.M.P.(MD)No.10004 of 2022

E.Senthoorpandi @ E.Senthur Pandian ... Petitioner/A-1

Vs

1.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No. 7 of 2021)

...R-1/Complainant

2. Rajamani

...R-2/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the impugned FIR in Crime No. 7 of 2021 on the file of the 1st respondent police dated 07.01.2021 and quash the same as illegal in so far as the petitioner/A-1 concerned.

For petitioner : Mr.R.Shankar Ganesh

For R-1 : Mr.M.Sakthi Kumar
Government Advocate (crl. side)

ORDER

This Criminal Original Petition has been filed to quash the impugned FIR in Crime No.7 of 2021 on the file of the 1st respondent police dated 07.01.2021 as against the petitioner/A-1.



Crl.O.P.(MD) No.15236 of 2022

2. The learned counsel appearing for the petitioner submitted that, at the time of giving complaint, the vehicle number was mentioned as TN-59-CD-6337-TATA 407 van. Subsequently, the FIR was altered on 07.01.2021 and in the altered FIR the vehicle number was mentioned as TN-59-CD-6637 and this vehicle owner is the petitioner. Hence, the impugned FIR is liable to be quashed.

3.The learned Government Advocate (crl. side) appearing for the respondent police submitted that the case is under investigation. While giving complaint, the respondent police, inadvertently, mentioned the number of the vehicle seized as TN-59-C-6337. The investigation of the case is in progress. He further submitted that, it is not proper to quash the FIR before completion of investigation.

4. On perusal of the impugned FIR, it is seen that at the time of registering the case, the vehicle number was mentioned as TN.59-C-6337-TATA 407 van. While, altering the FIR on 07.01.2021, it is recorded that the complainant, inadvertently, while giving the seized vehicle number, as TN-59-C-6337 instead of 6637. Therefore, the number was subsequently



Crl.O.P.(MD) No.15236 of 2022

altered as TN-59-C-6337-TATA 407 van. To find out the truth that which vehicle was involved in the offence, investigation is to be conducted. Before completing investigation, we cannot decide which vehicle was involved in the offence. Since investigation of this case is in premature stage it is improper to quash the impugned FIR.

5. In view of the foregoing reasons, this Court finds no merit in the petition and the same is liable to be dismissed.

6. Accordingly, this Criminal Original Petition stands dismissed. The respondent police is directed to complete the investigation within a period of five weeks from the date of receipt of copy of the order. Consequently, connected miscellaneous petition is closed.

25.08.2022

Internet: Yes./No

Index: Yes/no

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To

1. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

3/4



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Crl.O.P.(MD) No.15236 of 2022

V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.15236 of 2022

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