



CrI.O.P.(MD) No.18771 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P(MD)No.18771 of 2022

Mohammed Rishwan @ Mohamed Riswanul Asraf

...Petitioner

vs.

1.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
Crime No.26 of 2019

2.Salahudeen

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the FIR in Crime No.26 of 2019 dated 04.02.2019 on the file of the first Respondent and quash the same as illegal.

For Petitioner
For R1

: Mr.B.Mahendrarajan
: Mr.R.Suresh Kumar
Government Advocate (CrI.side)
: Mr.S.Balasubramanian

For R2



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ORDER

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This Criminal Original Petition has been filed to quash the First Information Report in Crime No.26 of 2019 dated 04.02.2019 on the file of the first Respondent.

2.When the case came up for hearing on the earlier occasion, 31.10.2022, the learned Additional Public Prosecutor for the first Respondent submitted that the final report had been filed before the Court of the learned Judicial Magistrate No.I, Ramanathapuram through e-filing in 2022. On request of the learned Counsel for the Petitioner, the case was adjourned to today, 08.11.2022.

3.Today, 08.11.2022, when the case came up for hearing, the learned Counsel for the Petitioner would submit that the Petitioner had filed copy application before the Court of the learned Judicial Magistrate No.I, Ramanathapuram seeking copy of the Charge Sheet. The same was returned as Charge Sheet was not filed.



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4.The learned Government Advocate (Crl.side) for the first Respondent had furnished a copy of the printout of the e-filing of the Charge Sheet, which had been filed on 22.08.2022. He would further submit that the final report had been filed before the Court concerned through e-mail also, for which he files a printed copy of the e-filing.

5.First Information Report is dated 04.02.2019. In the FIR, there is no mention about the name of the accused. When the FIR does not mention the name of the accused, the Petitioner seeking to quash the FIR in Crime No. 26 of 2019 on the file of the first Respondent on the ground that the Petitioner had entered into compromise with the defacto complainant is found unacceptable.

6.In the light of the above, this Petition is dismissed. The Petitioner is directed to file appropriate petition after numbering the final report by the Court concerned.

Index :Yes/No
Internet :Yes/No
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08.11.2022



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SATHI KUMAR SUKUMARA KURUP, J.

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To

- 1.The Judicial Magistrate No.I,
Ramanathapuram.
- 2.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

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