



CrI.O.P.(MD) No.19866 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.19866 of 2022

and

CrI.M.P(MD) No.13671 of 2022

Nishanth

...Petitioner

VS

**1. The Inspector of Police
Vedasandur Police Station,
Dindigul District.**

**2. Murugan
Special Sub Inspector of Police
Vedasandur Police Station,
Dindigul District**

...Respondents

**PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to call for the records pertaining to the First Information Report in
Crime No.49 of 2022 on the file of the first Respondent police and quash
the same as illegal in so far as the Petitioner's concerned.**



Crl.O.P.(MD) No.19866 of 2022

For Petitioner : Mr.T.Lenin Kumar
For R-1 : Mr.R.Sivakumar
Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition had been filed to quash the First Information Report in Crime No.49 of 2022 on the file of the first Respondent police

2. The learned Counsel for the Petitioner would submit that earlier he had filed a petition in Crl.O.P(MD) No.10478 of 2022 seeking to quash the First Information Report and when the case came up for hearing on 14.06.2022, the then learned Single Judge of this Court on the basis of the submission made by the then learned Additional Public Prosecutor that charge sheet had been filed before the Court concerned closed the case. Thereafter, the learned Counsel for the Petitioner had sought for certified copies of First Information Report, charge sheet and 161 (3) Cr.P.C statement of witnesses of the charge sheet before the learned Judicial Magistrate, Veda sandur. The learned Judicial Magistrate had returned it



Crl.O.P.(MD) No.19866 of 2022

stating that charge sheet had not been filed and copy of the same was also enclosed along with this petition.

3. Today, when the case is taken up for hearing, the learned Government Advocate(Crl.Side) on instructions from the Station House Officer concerned states that the final report laid before the Court concerned.

4. The learned Counsel for the Petitioner protested regarding the said statement.

5. It is the further submission of the learned Counsel for the Petitioner that the Complainant himself is the Investigation Officer. It is the further submission that the alleged occurrence had taken place outside the theatre. Therefore they had foisted case without verifying the persons who had involved in the offence. Further the Petitioner is the student and studying B.Sc(Agri).



Crl.O.P.(MD) No.19866 of 2022

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6. Considering the submission made by the learned Counsel for the Petitioner, the First Information Report in Crime No.49 of 2022 on the file of the first Respondent police is hereby quashed and the Criminal Original Petition is allowed. Consequently connected miscellaneous petition is closed.

24.11.2022

Internet: Yes./No

Index: Yes/no

aav

To

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



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Crl.O.P.(MD) No.19866 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

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CRL.O.P (MD) No.19866 of 2022

24.11.2022