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Crl.O.P.No.3710 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3710 of 2022

Prabu

... Petitioner

Vs.

1.The State Rep. By
The Inspector of Police,
Minjur Police Station,
Thiruvallur District.
(Crime No.527 of 2015)

2.C.Sagayam

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash all further proceedings in FIR in Crime No.527 of 2015 on the file of first respondent.

For Petitioner : Mr.R.Vijayaraghaven

For R1 : Mr.A.Gopinath

Government Advocate (Criminal Side)

ORDER

This petition has been filed to quash the FIR in Crime No.527 of 2015 pending investigation on the file of the first respondent.

2. Heard the learned counsel for the petitioner and the learned



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Government Advocate (Crl.Side) for the respondent.

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3. The second respondent gave a complaint to the first respondent to the effect that the petitioner and more than 100 other persons approached the gate of the company and had abused and assaulted the security. That apart, they also caused damage to the property belonging to the company. Based on this complaint, an FIR came to be registered in Crime No.527 of 2015 by the first respondent and the same has been put to challenge in this petition.

4. On carefully going through the allegation made in the complaint, it is seen that during the floods at Chennai in the year 2015, the petitioner and others who were living in a village, were forced to move out of the place and it became a matter of survival and livelihood. It is at that point of time, the petitioner and others had approached the company and there was a melee.

5. In the considered view of this Court, even subsequent to the incident, there was peace committee meeting held and the entire incident had taken place in the spur of the moment and the continuation of the Criminal proceedings as against the petitioner and others will amount to an abuse of process of law which requires the interference of this Court. Ultimately, nothing will come out of the investigation and it will be a waste of time for the police to investigate the case and file a final report.



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6. In the light of the above discussion, FIR in Crime No.527 of 2015 pending on the file of the first respondent is entirely quashed insofar as the petitioner and others.

7. Accordingly, this Criminal Original Petition is allowed.

10.07.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

mpa

To

1.The Inspector of Police,
Minjur Police Station,
Thiruvallur District.

2.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH,J.

mpa

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