



WEB COPY



Crl.O.P.No.3302 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.3302 of 2023
and Crl.M.P.No.2008 of 2023

Mutheeur Rahman

... Petitioner

Vs.

1.The Inspector of Police,
K-9, Thiru. Vi. Ka. Nagar Police Station,
Chennai.

2.Aadhil Ahamed.S.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to Crime No.1140 of 2021 under Section 147, 148, 448 and 324 IPC on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.Adhinarayana Rao

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor for R1



Crl.O.P.No.3302 of 2023

ORDER

WEB COPY

The Criminal Original Petition has been filed to quash the FIR in Crime No.1140 of 2021, pending on the file of the 1st respondent.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the investigation is completed and final report is likely to be filed soon. From the investigation, there are materials available to proceed with the prosecution. The reason stated to quash the First Information Report is not covered under the parameters of the Hon'ble Supreme Court judgment in *M/s.Neeharika Infrastructure Pvt. Ltd. vs. State of Maharashtra and others* reported in *AIR 2021 SCC 1918; AIR Online 2021 SC 192*.

3.In view of the above, the respondent police is directed to file the final report within a period of seventy five days from the date of receipt of a copy of this order.



Crl.O.P.No.3302 of 2023

WEB COPY

4. Accordingly, this Criminal Original Petition is disposed of. If aggrieved by the final report to be filed, liberty is given to the petitioner to challenge the final report in the manner known to law. Consequently, connected miscellaneous petition is closed.

18.10.2023

Index : Yes/No
Neutral Citation : Yes/No
ssr

To

1. The Inspector of Police,
K-9, Thiru. Vi. Ka. Nagar Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.



WEB COPY



Crl.O.P.No.3302 of 2023

Dr.G.JAYACHANDRAN,J.

SSR

Crl.O.P.No.3302 of 2023
and Crl.M.P.No.2008 of 2023

18.10.2023