



Crl.OP.No.5913 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.5913 of 2023

Rahul Patchai @ Rahul Prasath @ Patchai

... Petitioner

Vs.

1. The Inspector of Police,
K 6 T.P.Chatram Police Station,
Chennai - 600 010.
Crime No.561 of 2018.

2. Thyagarajan

...Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in Crime No.561 of 2018 on the file of the Inspector of Police, K-6 T.P.Chatram Police Station, Chennai - 600 010 and to quash the same.

For Petitioner

: M/s.P.Raja

For Respondent

: Mr.S.Santhosh (For R1)
Government Advocate(Crl.side)



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ORDER

This Criminal Original Petition has been filed to call for the records relating to the proceedings in Crime No.561 of 2018 on the file of the Inspector of Police, K-6 T.P.Chatram Police Station, Chennai - 600 010 and to quash the same.

2. The learned counsel for the petitioner submitted that, complaint allegations prima facie appears artificially made only with a view to detain the petitioner on a false complaint. Though, FIR was registered on 11.11.2018, till now, no final report is filed. Thus, he prayed for quashing the FIR in Crime No.561 of 2018.

3. The learned Government Advocate (Crl. Side) submitted that, final report would be filed within a period of one month.

4. Considered the rival submissions. FIR allegations show that, on 11.11.2018, at about 08.00.a.m., when the defacto complainant was walking near New Avadi Road, accused waylaid him and demanded him to pay money. When the defacto complainant asked the accused that, why he has to pay the



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money, accused shouted at him, how dare he was questioning him and scolded the defacto complainant in filthy language and also slapped him on his cheek and took Rs.200/- at knife point. On the basis of his complaint, FIR in Crime No. 561 of 2018 came to be registered.

3. Of course, there is a delay of more than four years in filing the final report. It is not a ground for quashing the FIR. The complaint allegations make out commission of cognizable offences and it need to be investigated by the Investigating Officer. Therefore, this Court is not inclined to quash the proceedings in Crime No.561 of 2018.

4. Accordingly, this Criminal Original petition is dismissed. However, this Court directs the respondent police to complete the investigation and file a final report within a period of one month from the date of receipt of copy of the order.

15.03.2023

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
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G.CHANDRASEKHARAN,J.

Sma

To

1. The Inspector of Police,
K 6 T.P.Chatram Police Station,
Chennai - 600 010.
- 2.The Public Prosecutor,
High Court of Madras, Chennai.

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