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Crl.O.P.No.9643 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

Crl.O.P.No.9643 of 2022

&

Crl.M.P.No.5660 of 2022

Prashanth @ Prasanthkumar

... Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
Omalur Police Station,
Salem District.
(Cr.No.826 of 2021)

2. Balaji

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records in Crime No.826 of 2021 on the file of the 1st Respondent herein and quash the First Information Report against the petitioner herein.

For Petitioner

: Mr.T.Gopinath

For R1

: Mr.A.Gokulakrishnan,
Additional Public Prosecutor



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ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No. 826 of 2021, pending on the file of the respondent police.

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 material 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 75 days from the date of receipt of a copy of this order.



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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, the connected Miscellaneous Petition is closed.

18.10.2023

Index : Yes / No

Neutral Citation : Yes / No

skr

To

1. The Inspector of Police,
Omalur Police Station,
Salem District.
2. The Public Prosecutor,
High Court of Madras.



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G. JAYACHANDRAN, J.

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