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Crl.O.P.No.7435 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HONOURABLE MR. JUSTICE Dr. G. JAYACHANDRAN

Crl.O.P.No.7435 of 2023

and

Crl.M.P.No.4739 of 2023

R.Sivachandran

... Petitioner

Vs.

1. The State,
Rep. by the Station House Officer,
Udayarpalayam Police Station,
Udayarpalayam Taluk,
Ariyalur District.

2. Silambarasan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to quash the impugned FIR in Crime No.81 of 2022, on the file of the 1st respondent, Police in so far as the petitioner is concerned.

For Petitioners : Mr.P.R.Thiruneelakandan

For Respondents : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Criminal Side),
(for R1)

No Appearance (For R2)



Crl.O.P.No.7435 of 2023

ORDER

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This Criminal Original Petition is filed to quash the impugned FIR in Crime No.81 of 2022, on the file of the 1st respondent, Police in so far as the petitioner is concerned.

2. The learned Counsel appearing for the petitioner would submit that the petitioner did not commit any offences as alleged in the impugned FIR. Without any base, the respondent Police registered a case as against the petitioner in Crime No. 81 of 2022 for the offences under Sections 341, 347, 365, 468 and 506 of IPC. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) would submit that on completion of the investigation, FIR closed as mistake of facts. However, in view of the stay granted by this Court on 06.04.2023, not to file the final report, RCS Notice is not issued and hence, he prayed for dismissal of this petition.

4. Perused the materials available on record.



Crl.O.P.No.7435 of 2023

5. In the light of the submissions made by the learned Government Advocate, the interim stay for filing final report is vacated and accordingly, Criminal Original Petition is dismissed. The respondent Police shall file RCS before the Trial Court and issue notice to the De-facto complainant. Consequently, connected miscellaneous petition is also dismissed.

01.11.2023

Index : Yes/No
Neutral Citation : Yes/No
sha

To

1. Station House Officer,
Udayarpalayam Police Station,
Udayarpalayam Taluk,
Ariyalur District.

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



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Dr. G. JAYACHANDRAN. J.,

(sha)

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