



Crl.O.P.No.8197 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:17.04.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8197 of 2023

Dass alias Lenin Dass

... Petitioner

Vs

1. Inspector of Police,
Morappur,
Dharmapuri District.

2. Gandhi

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for entire records in connection with the case in FIR in Crime No.19 of 2023 on the file of the Respondent Police and quash the same.

For Petitioner : M/s.S.Deepika

For Respondents

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



ORDER

This Criminal Original Petition has been filed to call for entire records in connection with the case in FIR in Crime No.19 of 2023 on the file of the Respondent Police and quash the same.

2. The learned counsel for the petitioner submitted that, though petitioner's name is mentioned in the FIR, there is no specific overt act attributed against the petitioner. She further submitted that, there is a counter case in Crime No.20 of 2023 pending against the defacto complainant and others. In the said circumstances, this petition is filed.

3. The learned Government Advocate (Crl. Side) submitted that, in both the case ie., in Crime No.19 of 2023 and in Crime No.20 of 2023, investigation is completed and final report would be filed in due course.

4. The FIR allegations shows that, in connection with the dispute in eve-teasing the defacto complainant's neighbor, accused along with others attacked the defacto complainant with wooden log. As a result, defacto complainant lost his two teeth and also suffered injuries on his right elbow and left knee.



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5. The FIR allegations, though do not disclose any specific overt act against the petitioner, there is specific mention that, he also formed part of the unlawful assembly. The FIR allegations make out commission of cognizable offence by the petitioner. Therefore, this Court is not inclined to quash the FIR in Crime No.19 of 2023.

6. Accordingly, this Criminal Original Petition is dismissed.

17.04.2023

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To,

1. Inspector of Police,
Morappur,
Dharmapuri District.
2. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN,J.

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