



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9931 of 2023

and

Crl.M.P.No.6541 of 2023

Suganthram

... Petitioner

Vs.

1. State Rep. by
The Inspector of Police,
Saravanampatty Police Station,
Coimbatore District.

2. Sathyamurthy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to call for the connected records made in Crime No.67/2022 on the file of the Inspector of Police, Saravanampatty Police Station, Coimbatore District and quash the same.

For Petitioners : M/s.R.Sankarasubbu

For Respondent :Mr.E.Raj Thilak, Addl. Public Prosecutor [R.1]



ORDER

The petition is to quash the FIR for the alleged offence under Sections 399 of IPC and 25(1B) (b) of Arms Act.

2. The learned counsel for the petitioner would submit that the allegation against the petitioner is malafide and without any basis. The petitioner is a B.Com, graduate and hails from a humble background. He was arrested by the respondent police on 14.02.2023 at about 2.37 a.m from his house. The learned counsel has also produced the CCTV footages to establish the said fact. Hence, the allegation that the petitioner had participated in an occurrence that took place at 10 a.m. on 14.02.2023 is improbable. Hence, the impugned FIR is liable to be quashed.

3. The learned Additional Public Prosecutor submitted that the respondent police would consider all the facts and conduct an investigation in a fair manner and file the final report.

4. In view of the submissions made by the learned counsel for the petitioner and the learned Additional Public Prosecutor, this Court is of the view that the impugned FIR cannot be quashed on the basis of the points



raised by the petitioner. However, the respondent police shall conduct the investigation in a fair manner taking into consideration the documents produced by the petitioner and the CCTV footages which according to the learned counsel for the petitioner suggests that the petitioner could not have participated in the alleged occurrence.

5. With the above observations, the Criminal Original Petition is dismissed with a direction to the respondent police to expedite the investigation and complete it within a period of 3 months from the date of receipt of a copy of the order. Consequently, the connected Miscellaneous Petition is closed.

10.05.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
shr

To

The Inspector of Police,
Saravanampatty Police Station,
Coimbatore District.



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SUNDER MOHAN. J,

shr

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