



Crl.O.P.No.9921 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2023

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 9921 of 2023

V.Jeeva

... Petitioner/A2

Vs.

1. State : The Inspector of Police,
Baluchettychathiram Police Station,
Kancheepuram Dt.

2. Preethi

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for entire records in connection with the case in F.I.R. in Crime No.107 of 2023 on the file of the respondent.

For Petitioner : Mr.D.Parventhan

For Respondents : Mr.S.Suganthan
Govt. Advocate (Crl. Side)



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ORDER

This petition has been filed to quash the FIR in Crime No.107 of 2023 on the file of the respondent police, for offences under Sections 294(b), 323 and 506(i) of IPC, as against the petitioner.

2. The learned counsel appearing for the petitioner has produced an affidavit of defacto complainant stating that due to inadvertent mistake, she gave the name of petitioner without verifying, who were all with the A1 while attacking her husband and later she came to know that this petitioner is not present in the scene of occurrence, however his name was included inadvertently. She with all consciousness would submit that this petitioner did not attack her husband, who is a sick person, thereby, she do not have any objections for quashing the above said F.I.R. as against this petitioner alone.

3. Recording the affidavit of defacto complainant, this Court is inclined to quash the F.I.R. in Crime No.107 of 2023 on the file of



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respondent police in respect of this petitioner/A2 alone. Accordingly, this

Criminal Original Petition stands allowed.

05.05.2023

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

rpp/mfa

To

1. The Inspector of Police,
Baluchettychathiram Police Station,
Kancheepuram Dt.

2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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