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Crl.O.P.Nos.15006 & 33722 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.Nos.15006 & 33722 of 2019

and

Crl.M.P.Nos.7357 & 18607 of 2019

- 1.Kanthan
- 2.Ganam
- 3.Kadhar
- 4.Sadhick
- 5.Tamilmaran

... Petitioners / A1 to A5
(in Crl.O.P.No.15006 of

2018)

- 1.Tamilmaran

... Petitioner / A5
(in Crl.O.P.No.33733 of 2019)

-Vs-

1. The State rep. by:
The Inspector of Police
T-12, Poonamallee Police Station,
Thiruvallur District.
(Crime No.390 of 2018)

2. S. Chitra

... Respondents in both Crl.O.Ps

Common Prayer: Criminal Original petitions filed under Section 482 of Code of Criminal Procedure, to call for the records relating to Crime No.390 of 2018 on the file of the 1st respondent and to quash the same.



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In Crl.O.P.No.15006 of 2019:

For Petitioners : Ms. G. Gayathri

In Crl.O.P.No.33722 of 2019:

For Petitioner : Mr. D. Padmanabhan

In both Crl.O.Ps:

For R1 : Mr. A. Damodaran
Additional Public Prosecutor

For R2 : No appearance

COMMON ORDER

Coming to Crl.O.P. No.15006 of 2019, it has been filed seeking to quash the FIR in Crime No.390 of 2018 on the file of the 1st respondent filed for the alleged offences under Sections 147, 294(b), 353 IPC and Section 3 of the TNPPDL Act.

2.The point raised by the learned counsel for the petitioners that the complaint is false has to be investigated by the respondent police and therefore, this Court is not inclined to entertain this quash petition. Accordingly, this Criminal Original Petition is dismissed.

3.Since the FIR is of the year 2018, the 1st respondent may



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conduct the investigation as expeditiously as possible and preferably complete it within a period of two months from the date of receipt of a copy of this order.

4.Coming to Crl.O.P. No.33722 of 2019, it is manifest that this case is filed by Tamilmaran (A.5) challenging the very same FIR, viz., Cr.No.390 of 2018, which is called in question in Crl.O.P. No.15006 of 2019 also. It is not known why this petitioner, viz., Tamilmaran (A.5), being one of the petitioners in Crl.O.P. No.15006 of 2019, has filed Crl.O.P. No.33722 of 2019 also, challenging the very same crime number, viz., Cr.No.390 of 2018.

5.Be that as it may, since Crl.O.P. No.15006 of 2019 has been dismissed by this Court as indicated in paragraph 2, *supra*, Crl.O.P. No.33722 of 2019 is closed as no further orders are necessary.

6.Consequently, connected Criminal Miscellaneous Petition is closed.

19.06.2023

smv

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order



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To,

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1. The Inspector of Police
T-12, Poonamallee Police Station,
Thiruvallur District.
2. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN,J.



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