



*Crl.O.P.No.15356 of 2021
and Crl.MP.No.8394 of 2021*

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2023

CORAM:

THE HONOURABLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.15356 of 2021

and

Crl.MP.No.8394 of 2021

Jagan

...Petitioner

-Vs-

1. The State rep. by
The Inspector of Police,
Guduvanchery Police Station,
Chengalpattu District.
Crime No.836 of 2021
2. Annamalai

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, praying to call for the records and quash the FIR in Crime No.836 of 2021 on the file of the respondent police.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side) for R1



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ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.836 of 2021 on the file of the first respondent Police and quash the same.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the first respondent. Perused the entire materials available on record.

3. The learned counsel for the petitioner by producing the *defacto* complainant and the accused submitted that the complaint was obtained from the *defacto* complainant by the police, though the contents were not true and the police refuse to record his statement.

4. Whatever statement the witnesses intend to give that should be recorded by the first respondent police and they are obliged to do the same as a part of investigation. Since the matter is of the year 2021, it is appropriate for the first respondent police to complete the investigation by getting further statements, if any from the *defacto* complainant and other witnesses and conclude the investigation.



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5. In view of the aforesaid reasons, this Criminal Original Petition is disposed of with a direction to the first respondent police to complete the investigation by enquiring the witnesses, who volunteer to give their statement and file a final report within a period of one month from the date of receipt of a copy of this order. Consequently, connected Criminal Miscellaneous Petition is also closed.

21.02.2023

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation Case: Yes/No

kmi

Note: Issue Order copy on 21.02.2023

To

1. The Inspector of Police,
Guduvanchery Police Station,
Chengalpattu District.
2. The Public Prosecutor,
High Court of Madras
Chennai-600 104.



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R.N.MANJULA, J

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