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Crl.OP.No.16056 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16056 of 2023

S.Harish
S/o.Sekar

... Petitioner

Vs.

1. The State Rep. by
Inspector of Police,
Mount Traffic Investigation,
St.Thomas Mount,
Alandur, Chennai – 600 016.

2. J.Navanetha Krishnan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to quash the First Information Report in Crime No.454/2017 on the file of the Traffic Investigation Wing, St.Thomas Mount, Alandur, Chennai – 600 016.

For Petitioner : Mr.M.Selvam
for Ms.S.Sridevi

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



Crl.OP.No.16056 of 2023

ORDER

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This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.454 of 2017 on the file of first respondent.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for first respondent.

3. On 11.10.2017, the petitioner was riding a two-wheeler and his friend was sitting as a pillion rider and at about 04.30 p.m., an accident occurred, in which the petitioner and his friend sustained injuries. Based on a complaint given by the second respondent, a First Information Report came to be registered in Crime No.454 of 2017 for offences u/s.279 and 338 IPC and u/s.134(a), 134(b) and 187 of the Motor Vehicles Act, 1988.

4. The offences for which the First Information Report has been registered are punishable with maximum imprisonment of six months. It is submitted by learned Additional Public Prosecutor that the investigation has not been completed till date. In view of the same, even



Crl.OP.No.16056 of 2023

if a final report is filed, it cannot be taken cognizance in view of the bar u/s.468 Cr.P.C. Therefore, the continuation of investigation against the petitioner will only result in abuse of process of law which requires the interference of this Court u/s.482 Cr.P.C.

In the light of the above discussion, this Criminal Original Petition is allowed and the proceedings in Crime No.454 of 2017 on the file of first respondent is hereby quashed.

19.07.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1.The Inspector of Police,
Mount Traffic Investigation,
St.Thomas Mount,
Alandur, Chennai – 600 016.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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