



Crl.O.P.No.15152 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15152 of 2023

and

CrL.M.P.No.9463 of 2023

Karunanidhi

.. Petitioner

Vs.

1.State Represented by
The Inspector of Police,
Perugavazhndhan Police Station,
Tiruvarur District.

2.R.S.Chandrasekaran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to

a. stay all further proceedings of the first information report in Crime No.131/2013 pending investigation on the file of the 1st respondent police as far as this petitioner is concerned until disposal of the above criminal original petition.

b. quash the first information report in Crime No.131/2013 pending investigation on the file of the 1st respondent police as far as this petitioner is concerned and thus render justice.



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For Petitioner : Mr.K.Selvakumaraswami
For Respondent(R1) : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed to quash the F.I.R registered in Crime No.131 of 2013 pending investigation on the file of the first respondent.

2. The case of the prosecution is that on 16.09.2013 at about 11:00 p.m., a complaint was given to the 1st respondent by the 2nd respondent to the effect that on 14.09.2013 at about 10:30 a.m, when an attempt was made to survey the subject property over which there is a dispute, the accused persons are said to have been prevented the Village Administrative Officer from conducting the survey and thereafter they have threatened and abused the persons, who had come for conducting the survey. Based on this complaint, F.I.R came to be registered in Crime No.131 of 2013 for offence under Sections 147, 148, 448, 294(b), 506(ii) IPC and 3(1) of PPPL Act.

3. When the matter came up for hearing on 28.07.2023, the learned counsel for the petitioner brought to the notice of this Court that the 2nd



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respondent died and the notice that was sent to the 2nd respondent was also returned with the endorsement “party expired”. This Court directed the learned Additional Public Prosecutor to take instructions from the respondent Police in this regard.

4. When the matter came up for hearing today, the learned Additional Public Prosecutor submitted the Death Certificate of the 2nd respondent and it is seen that the 2nd respondent died on 16.10.2021. The learned Additional Public Prosecutor further submitted that the respondent/Police had also given information to the family members of the 2nd respondent and they have not taken any interest in prosecuting the case.

5. Taking into consideration the fact that the F.I.R was registered 10 years back and the 2nd respondent has expired and the family members of the 2nd respondent are also not showing any interest in the case, no useful purpose will be served in keeping the F.I.R pending.



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6. In view of the same, F.I.R registered in Crime No.131/2013 pending investigation on the file of the 1st respondent police is hereby quashed and the Criminal Original Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

04.08.2023

Speaking order: Yes/No
Neutral citation: Yes/No
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To

1. The Inspector of Police,
Perugavazhndhan Police Station,
Tiruvarur District.

2. The Public Prosecutor
High Court of Madras,
Madras.



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N.ANAND VENKATESH, J

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