



WEB COPY



Crl.O.P.No.17959 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17959 of 2023
and Crl.M.P No.11862 of 2023

Mariyappan

.... Petitioner

-Vs-

1.State Rep.by its
Inspector of Police
Chidambaram Town Police Station
Chidambaram, Cuddalore District
(Crime No.678 of 2022).

2.Anantharaj S/o Rajendran

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to the Crime No.678 of 2022 and quash the same.

For Petitioners : Mr.Om Sai Ram

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed to quash the FIR in Crime No.678 of 2022 pending investigation on the file of the first respondent.



WEB COPY

2. The case of the prosecution is that on 24.11.2022 at about 1.00 p.m., the second respondent is said to have been waylaid and threatened and on knife point, a sum of Rs.1000/- was taken away from the second respondent. Based on the same, FIR came to be registered against the petitioner for offences under Sections 341, 294(b), 392, 397 and 506(2) of IPC.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

4. The defacto complainant viz., the second respondent is present before this Court and he categorically stated that he never gave the complaint against the petitioner and he is working as driver to the petitioner for the last ten years. He has also filed an affidavit to that effect in this petition. That apart, the eye witness viz., Arumugam was also present before this Court and he also stated that no such incident took place on 24.11.2022. He has also filed an affidavit to that effect.

5. Learned Additional Public Prosecutor submitted that the petitioner is a history sheeter and there are lots of cases pending against him.

6. In the considered opinion of this Court, in view of the specific stand taken by the second respondent and also the eye witness, no useful purpose will be served



Crl.O.P.No.17959 of 2022

in keeping the investigation pending. Even if a final report is filed, the second respondent and the eye witness are going to make the very same statement before the Court and the case will only end in acquittal. Therefore, instead of wasting the time in filing the final report and thereafter going ahead with the trial, it is more appropriate to close the case at this stage itself.

7. In the light of the above discussion, the FIR in Crime No.678 of 2022 on the file of the respondent police is hereby quashed and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

11.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
KST

To

1.The Inspector of Police
Chidambaram Town Police Station
Chidambaram, Cuddalore District

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



WEB COPY



Crl.O.P.No.17959 of 2023

N. ANAND VENKATESH, J.

KST

Crl.O.P No.17959 of 2023

11.08.2023