



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19412 of 2023
and Crl.M.P.No.13059 of 2023

M.Pradeepkumar

... Petitioner

Vs.

1.The State Rep. by its
Inspector of Police,
Ambur Town Police Station,
Thirupathur District.

2.Vijayalakshmi

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the FIR in Crime No.220 of 2022 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor for R1



ORDER

This petition has been filed to quash the FIR in Crime No.220 of 2022 pending investigation on the file of the 1st respondent police.

2.The learned Additional Public Prosecutor on instructions submitted that the investigation has been completed and the draft final report is also ready to be filed before the concerned jurisdictional Magistrate Court. The relevant materials were also placed before this Court.

3.It is seen from the draft final report that the charge against the petitioner is for offence under Section 506(ii) of IPC. Even as per the admitted case of the prosecution, the petitioner had come to the scene of occurrence when A1 was attacking the victim/defacto complainant and he is said to have told A1 not to leave the defacto complainant and to attack her. Therefore, there was presence of the petitioner in the scene of occurrence and that has been spoken to by the witness. However, the charge under Section 506(ii) of IPC is not made out.

4.In view of the above, there shall be a direction to the 1st respondent to see



WEB COPY

if there are any material against the petitioner for having abetted or aided A1 in committing the offences. In the absence of the same, the final report can be confined to A1. The final report shall be filed before the concerned jurisdictional Court, within a period of four weeks from the date of receipt of copy of this order.

5. Accordingly, this criminal original petition is disposed of in the above terms. Consequently, connected miscellaneous petition is closed.

28.08.2023

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

To

1. The Inspector of Police,
Ambur Town Police Station,
Thirupathur District.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY



N.ANAND VENKATESH, J

SSI

Crl.O.P.No.19412 of 2023
and Crl.M.P.No.13059 of 2023

28.08.2023