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Crl.O.P.No.29401 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

Crl.O.P.No.29401 of 2022

M.Karunakaran

... Petitioner

Vs.

1.State rep. by

The Inspector of Police,
E3, Saravanampatti Police Station,
Coimbatore District – 641 005.
Crime No.308 of 2019

2.M.Sanjay

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, calling for the records of the FIR in Crime No.308 of 2019 dated 05.04.2019 on the file of the Inspector of Police, E3, Saravanampatti Police Station, Coimbatore District and to quash the same in view of the proceedings of the petitioner as accused.

For Petitioner

: Mr.K.Kaviarasan

For R1

: Mr.R.Muniyapparaj,
Additional Public Prosecutor

For R2

: Mr.S.Suresh



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Crl.O.P.No.29401 of 2



ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No. 161 of 2022, pending on the file of the respondent police.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the investigation is completed and final report is likely to be filed soon. From the investigation, there are material available to proceed with the prosecution. The reason stated to quash the First Information Report is not covered under the parameters of the Hon'ble Supreme Court judgment in *M/s.Neeharika Infrastructure Pvt. Ltd. -vs- State of Maharashtra and others* reported in *AIR 2021 SCC 1918; AIR Online 2021 SC 192*.

3. In view of the above, the respondent police is directed to file the final report within a period of 75 days from the date of receipt of a copy of this order.



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4. Accordingly, this Criminal Original Petition is disposed of. If aggrieved by the final report to be filed, liberty is given to the petitioner to challenge the final report in the manner known to law.

18.10.2023

Index : Yes / No

Neutral Citation : Yes / No

skr

To

- 1.The Inspector of Police,
E3, Saravanampatti Police Station,
Coimbatore District – 641 005.
- 2.The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.O.P.No.29401 of 2



G. JAYACHANDRAN, J.

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Crl.O.P.No.29401 of 2022

18.10.2023