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Crl.O.P.No.31243 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.31243 of 2022

and

Crl.M.P.No.19137 of 2022

Rajarathinam

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Virudhachalam Police Station,
Cuddalore District.
(Crime No.938 of 2022)

2.Sai Lakshmi

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, calling for the records and to quash the same pending on the file of the first respondent police in Crime No.938 of 2022 and to quash the same.

For Petitioner : Mr.M.Kalaiyaran

For R1 : Mr.R.Muniyapparaj,
Additional Public Prosecutor



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ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.938 of 2022 , pending on the file of the 1st respondent.

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 materials 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 seventy five days from the date of receipt of a copy of this order.

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



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challenge the final report in the manner known to law. Consequently,
connected miscellaneous petition is closed.

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Index : Yes / No
Neutral Citation : Yes / No
ssr

To

- 1.The Inspector of Police,
Virudhachalam Police Station,
Cuddalore District.
- 2.The Public Prosecutor,
Madras High Court,
Chennai.



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G. JAYACHANDRAN, J.

SSR

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