



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.31826 of 2022
and C.M.P.No.19528 of 2022

Kumar @ Uthirakumar

... Petitioner

Vs.

1. The State represented by
The Inspector of Police,
Bhavanisagar Police Station,
Erode District.

2. Vengittammal

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in FIR No.216 of 2022 dated 12.08.2022 now pending on the file of the Inspector of Police, Bhavanisagar Police Station, Erode district and quash the same as unsustainable in law.

For Petitioner : Mr.T.S.Rajamohan

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor for R1

Mr.M.Guruprasad for R2



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ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.216 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 thirty 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. Consequently, connected miscellaneous petition is closed.

18.10.2023

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

To

1. The Inspector of Police,
Bhavanisagar Police Station,
Erode District.

2. The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.



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Dr.G.JAYACHANDRAN,J.

SSR

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