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Crl.OP.No.32276 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.32276 of 2022

Crl.M.P.No.19907 of 2022

Vetrivel

...Petitioner

Vs.

1.The State represented by
The Inspector of Police,
T-7, Tank Factory Police Station,
Chennai.
Crime No.16 of 2016

2.Ganesan

... Respondents

PRAYER : This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in Crime No.16 of 2016 on the file of the 1st respondent herein and quash the same.

For Petitioner : Mr.I.Abdul Basith
For Respondents : Mr.S.Santhosh (for R1)
Government Advocate (Crl side)
Mr.Narayanan,(for R1)
Sub-Inspector
Chennai.



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ORDER

This Criminal Original Petition has been filed to call for the records relating to the proceedings in Crime No.16 of 2016 on the file of the 1st respondent herein and quash the same.

2.The learned counsel for the petitioner submitted that though the First Information report was registered in the year 2016, there is no progress in the investigation and final report is not filed so far. That apart, there is no specific overtact against the petitioner. Therefore, he prays for quashment of the First Information Report.

3.The learned Government Advocate (Criminal side) submitted that investigation is almost completed and waiting for receipt of wound certificate. Once, wound certificate is received final report would be filed.

4.The reading of the First Information Report shows that the petitioner along with the other accused said to have forcibly demanded the liquor



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possessed by the defacto-complainant. Petitioner used abusive language against the defacto-complainant and that he had taken a stone and from him the stone was taken by co-accused Paranthaman for hitting the defacto-complainant. Therefore, this Court finds that there is specific overtact alleged against this petitioner which is cognizable offence. This Court finds there is no merits to quash the First Information Report in Crime No.16 of 2016 on the file of the first respondent. At the same time, considering the fact that the case is pending without completion of investigation from 2016, directs the respondent to complete the investigation immediately and file final report before the competent Court within the period of three weeks from the date of receipt of a copy of this order.

5.Mr.Narayanan, Sub-Inspector, under takes to file final report.

6.Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

03.01.2023



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Index : Yes / No

Speaking / Non Speaking order
ep

G.CHANDRASEKHARAN,J.

ep

To

1. Inspector of Police,
T-7, Tank Factory Police Station,
Chennai.

2.The Public Prosecutor
High Court, Madras.

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