



CRL.O.P.(MD)No.3461 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:05.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.3461 of 2023

and

CrI.M.P.(MD).No.3122 of 2023

Muthaiya

... Petitioner/Accused No.1

Vs

1.State represented by
the Inspector of Police,
CCB Police Station,
Trichy.
(Crime No.21 of 2022)

... Respondent No.1/De-jure complainant

2.Suresh Kumar

...Respondent No.2/ Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for the entire records connected with the impugned FIR in Crime No.21 of 2022 dated 04.07.2022 on the file of the first respondent and quash the same as illegal.

For Petitioner : Mr.R.Alagumani

For R-1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For R-2 : Mr.M.Jegadesh Pandian



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ORDER

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This petition is filed seeking for quashment of FIR in Crime No.21 of 2022 dated 04.07.2022 pending on the file of the first respondent.

2. Learned Additional Public Prosecutor submits that the police have completed the investigation in Crime No.21 of 2022 and charge sheet is also filed and the same was taken on file by the learned Judicial Magistrate concerned as C.C.No.484 of 2023 for the offences under Sections 405, 406, 420, 294 (b), 506 (2) and 34 of I.P.C. Since the very purpose for filing this petition had already been defeated on account of filing of the charge sheet, it does not survive for the petitioner. Therefore, the petition stands dismissed as infructuous. However, the petitioner is at liberty to challenge the charge sheet in case if he is advised so. Consequently, the connected miscellaneous petition is closed.

05.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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To

- 1.The Inspector of Police,
CCB Police Station,
Trichy..
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

tsg

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