



CRL.O.P.(MD)No.4369 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL.O.P.(MD)No.4369 of 2021

and

CRL.M.P.(MD)No.2454 of 2021

Stephenson

... Petitioner / Sole Accused

-Vs-

1.State represented by Inspector of Police,

Kotticode Police Station,

Kanyakumari District.

(Crime No.139 of 2019)

... 1st Respondent / Complainant

2.V.Licy

... 2nd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying this Court to call for records pertaining to the First Information Report in Crime No.139 of 2019 dated 21.11.2019 on the file of the Respondent No.1 for offences under Sections 420, 341, 294(b) and 506 (1) of IPC and quash the same as illegal.



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For Petitioner : Mr.S.Louis
For R1 : Mr.M.Muthumanikkam
Government Advocate (Crl.Side)

ORDER

The petitioner / sole accused filed this petition to quash the First Information Report in Crime No.139 of 2019 dated 21.11.2019 on the file of the 1st respondent lodged for the offences punishable under Sections 420, 341, 294(b) and 506 (1) of IPC.

2.The case of the prosecution is that on 21.11.2019 at 09.00 a.m., when the defacto complainant and her son were walking in Muttaikadu near Ashokan Bakery, the petitioner / sole accused came there and stated that he was not ready to sell the property and to repay the amount. Further, he used filthy language and attacked the defacto complainant's son. When the defacto complainant shouted for help, the petitioner / sole accused warned and threatened to kill the defacto complainant and her son. Hence, the complaint has been lodged by the defacto complainant.



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3.The learned Government Advocate (Crl.Side) appearing for the 1st respondent would submit that during the pendency of this petition, the Investigation Officer completed the investigation and filed final report before the learned Judicial Magistrate No.1, Padmanabhapuram, which has also been taken on file as E.Filing.C.C.No.5658 of 2023.

4.At this stage, the learned counsel for the petitioner seeks to withdraw this petition with liberty to challenge the said final report.

5.In view of the above, nothing survives for further adjudication in this matter. Accordingly, this Criminal Original Petition is closed with liberty to the petitioner to challenge the final report in the manner known to law. Consequently, connected Miscellaneous Petition is closed.

21.04.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MYR



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K.K.RAMAKRISHNAN, J

MYR

To:

- 1.The Inspector of Police,
Kotticode Police Station,
Kanyakumari District.

- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.O.P.(MD)No.4369 of 2021

Dated:

21.04.2023