



Crl.O.P.(MD)No.7323 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.7323 of 2023

and

Crl.M.P.(MD)No.6404 of 2023

Rathinabalan

... Petitioner / Accused
number not known

Vs.

1.The State represented by
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
(Crime No.114/2023)

... 1st Respondent / Complainant

2.Kumaran,
The Village Administrative Officer,
34, Kulavanikarpuram,
Palayamkottai,
Tirunelveli District.

... 2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records impugned FIR in Crime No.114 of 2023 on the file of the first respondent and quash the same as against the petitioner's concern.



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For Petitioner : Mr.V.M.Jegadeeshapandian

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed to call for the records impugned FIR in Crime No.114 of 2023 on the file of the first respondent and quash the same as against the petitioner's concern.

2. The facts in brief:

The defacto complainant namely Village Administrative Officer, Kulavanikarpuram village, Palayamkottai, Tirunelveli District, lodged a complaint stating that on 27.03.2023 at about 5.30 p.m., he visited Aanaiyarkulam pond along with his Village Assistant. At that time, on Western pond region, they found three JCB vehicles. When they approached the above said vehicle's area, all the vehicles have been taken away. Seeking quashment of the same, this petition has been filed.

3. The learned Additional Public Prosecutor would submit that since the First Information Report has been filed only on 01.04.2023,



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investigation is still pending. It is too premature a stage to consider this petition for quashment of First Information Report.

4. Whether the petitioner is involved in the above said occurrence is the matter for investigation. Even without waiting for reasonable time to complete the process of investigation, this petition has been filed by the petitioner.

5. With the above said observation, this Criminal Original Petition deserves dismissal and accordingly dismissed. Consequently, connected Miscellaneous Petition is closed.

20.04.2023

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

Indu



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G.ILANGO VAN,J.

Indu

To

- 1.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.7323 of 2023

Dated: 20.04.2023