



Crl.O.P(MD)No.11358 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2023

CORAM:

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

Crl.O.P(MD)No.11358 of 2021

and

Crl.M.P(MD)No.5785 of 2021

Selvamani

.. Petitioner/
Sole Accused

Vs.

State Represented by
Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
Crime No.418 of 2019

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in pursuant to the FIR in Crime No.418 of 2019 on the file of the respondent and quash the same.

For Petitioner : Mr.S.Kumar

For Respondent : Mr.M.Muthumanikkam
Government Advocate

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ORDER

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The petitioner/sole accused has filed this petition to quash the FIR in Crime No.418 of 2019 on the file of the respondent police, wherein he is said to have committed the offence under Sections 468 and 471 of IPC.

2. The case of the prosecution is that on 30.11.2019, the complainant and his police teams were in patrol duty, near 9th stop at Thalaiyuthu, at that time they stopped one Maruthi Alto Car bearing registration No.TN 72 BK 2256 came towards north to south and enquired the driver. During enquiry, the petitioner told that he is a police person and produced a police Identity Card and after verification, it was found that the same is a fabricated one. Hence, the complaint.

3. The learned Government Advocate (Criminal side) appearing for the first respondent submitted that after completion of investigation, final report has been filed and the same was taken on file in C.C.No.527 of 2021 on the file of the learned Judicial Magistrate No.III, Tirunelveli. In the said case, already P.W.1 to P.W.3 were examined and

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the case is posted for further examination of witnesses. At this stage, this quash petition is not maintainable as held by the Hon'ble Supreme Court in ***AIR 1973 SC 799***.

4. Recording the same, this Criminal Original Petition stands dismissed with liberty to the petitioner to work out his remedy in the manner known to law. Consequently, connected Miscellaneous Petition is closed.

13.04.2023

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

To

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

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K.K.RAMAKRISHNAN,J.

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