



Crl.O.P.(MD)No.11797 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **06.04.2023**

CORAM:

THE HONOURABLE MRS.JUSTICE **R.THARANI**

Crl.O.P.(MD) No.11797 of 2020
and
Crl.M.P.(MD)No.5400 of 2020

P.Ponnusamy

... Petitioner / Accused No.2

Vs.

1.State through

The Inspector of Police,
Sholavanthan Police Station,
Madurai District.

(Crime No.215 of 2013)

... 1st respondent / complainant

2.K.Praburaja

... 2nd respondent /defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to Crime No.215 of 2013 on the file of the first respondent police and to quash the same.

For Petitioners : Mr.K.Neelamegam

For R1 : Mrs.M.Aasha
Government Advocate (Crl.Side)

ORDER

This petition is filed to quash the case in Crime No.215 of 2013 on the file of the first respondent police.



Crl.O.P.(MD)No.11797 of 2020

WEB COPY

2. On the side of the petitioner it is stated that there is no allegation or overt act against the petitioner in the First Information Report. The entire allegation was against the first accused and the first accused is dead. The petitioner is a law college student at that time of occurrence and prays the First Information Report to be quashed.

3. On the side of the prosecution, it is stated that the complainant was working as a Police in the Tamil Nadu Battalion and when he tried to pacify the quarrel between one Velusamy and Mani, he was attacked. Hence the case.

4. From a perusal of the First Information report, it is seen that there is no specific overt act against the petitioner. Therefore, the case in Crime No.215 of 2013 on the file of the first respondent police is quashed and this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

06.04.2023

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

pnn



WEB COPY



Crl.O.P.(MD)No.11797 of 2020

To

- 1.The Inspector of Police,
Sholavanthan Police Station,
Madurai District.
(Crime No.215 of 2013)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.11797 of 2020

R.THARANI. J.

pnn

**Crl.O.P.(MD) No.11797 of 2020
and
Crl.M.P.(MD)No.5400 of 2020**

06.04.2023