



Crl.O.P(MD)No.11954 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.11954 of 2021

and

Crl.M.P(MD)No.6106 of 2021

Hakkimdeen

.. Petitioner/
Sole Accused

Vs.

1.The State Rep. by
The Inspector of Police,
South Gate Police Station,
Madurai District.
(Crime No.41 of 2021)

... 1st Respondent/Complainant

2.S.Mohammed Muthu

... 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings in Crime No.41 of 2021 on the file of Inspector of Police, South Gate Police Station, Madurai District and quash the same.

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For Petitioner : Mr.R.Senthil Kumar
For R1 : Mr.M.Muthumanikkam
Government Advocate

ORDER

The petitioner/sole accused has filed this petition to quash the FIR in Crime No.41 of 2021 on the file of the first respondent police, wherein he is said to have committed the offence under Sections 294(b), 379 and 506(ii) of IPC.

2. The case of the prosecution is that the petitioner is a frequent purchaser of fish from the defacto complainant and has not paid the amount due to him. On 31.01.2021, the defacto complainant was busy with his work of selling the fish. After some time, he noticed that the fish box was found missing with 30 kg of Ooli fish. The defacto complainant immediately saw the CCTV footage and found out that the petitioner had stolen the fish box. Thereafter, the defacto complainant had searched the petitioner but he was not there. On 01.02.2021, the defacto



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complainant found the petitioner at the entrance of South Gate Fish Market. When he questioned the petitioner about the occurrence on 31.01.2021 and asked the petitioner to return the fish box, he had scolded them in filthy language and also threatened him with dire consequences. Hence, the complaint.

3. When the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the first respondent submitted that the case is ended in acquittal.

4. Recording the same, this Criminal Original Petition stands closed. Consequently, connected Miscellaneous Petition is closed.

13.04.2023

NCC : Yes/No
Internet: Yes/No
Index : Yes/No
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WEB COPY To

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



WEB COPY



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K.K.RAMAKRISHNAN,J.

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