



Crl.O.P(MD).No.12521 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2023

CORAM:

THE HONOURABLE MRS. JUSTICE R.THARANI

Crl.O.P(MD).No.12521 of 2020

and

Crl.M.P.(MD)Nos.5664 of 2020 and 601 of 2021

1.K.Sakthivel
2.S.Elangovan

...Petitioners

Vs

1.State Rep. By
The Inspector of Police,
Lalapet Police Station,
Karur District.
(Crime No.532 of 2020)

2.T.Gunasekaran

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying this Court to call for the records relating to the impugned FIR in Crime No.532 of 2020 dated 03.10.2020 on the file of the 1st respondent police and to quash the same.

For Petitioners	: Mr.D.Kirubakaran
For 1 st Respondent	: Mr.M.Sakthi Kumar Government Advocate (Crl. Side)
For 2 nd Respondent	: Mr.J.Imran Khan



Crl.O.P(MD).No.12521 of 2020

ORDER

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This petition is filed to quash the FIR in Crime No.532 of 2020 dated 03.10.2020 on the file of 1st respondent police.

2.On the side of the petitioners, it is stated that the petitioners have not committed any theft. There was sale agreement wherein the petitioners paid some amount towards advance and the possession of the vehicle was given to the petitioners and the delivery note to that effect was given.

3.On the side of the prosecution, it is stated that investigation was over and chargesheet was ready to be filed. Only because of the pendency of the stay order, the final report could not be filed.

4.On the side of the second respondent, it is stated that the delivery note was filed and that only balance two installments yet to be paid. The petitioners seized another vehicle, which was not hypothecated by the respondent. Only with the motive, the petitioners have committed the theft.



Crl.O.P(MD).No.12521 of 2020

5.It is seen that the aforesaid facts requires a detailed trial. Hence, this

Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

13.04.2023

NCC : Yes/No

Internet : Yes/No

Index : Yes/No

Mrn

To

1.The Inspector of Police,
Lalapet Police Station,
Karur District.

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



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Crl.O.P(MD).No.12521 of 2020

R. THARANI,J.

Mrn

Crl.O.P(MD).No.12521 of 2020

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