



CRL.O.P.(MD)No.13589 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 31.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.13589 of 2023

and

CrI.M.P(MD)No.10622 of 2023

1.Balraj

2.Radhakrishnan

3.Jeyakodi

4.Chinna Maruthu

5.Periya Maruthu

6.Bhuvaneshwari

... Petitioners

Vs

1.The State by,
The Inspector of Police,
Budalur Police Station,
Thanjavur District.
(Crime No.1481 of 2020)

2.Elam Prithiviraja

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for the entire records pertaining to the case in Crime No.1481 of 2020 pending on the file of Inspector of Police, Budalur Police Station, Thanjavur and quash the same as far as the petitioners are concerned.



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For Petitioners : Mr.R.L.Dhilipan Pandian

For R-1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This petition is filed under Section 482 of Cr.P.C. seeking for quashment of FIR in Crime No.1481 of 2020 filed against the petitioners / A1 to A6 for the offences punishable under Sections 147, 294 (b), 324, 323 and 506 (2) of I.P.C.

2. It is submitted by learned counsel for the petitioners that on a complaint given by the *defacto* complainant, the respondent Police have registered a case in Crime No.1481 of 2020 against the petitioners in the year 2020 and there is no progress in the investigation. It is submitted further that on a complaint given by the petitioners, the respondent Police have also registered another case in Crime No.1482 of 2020 and that case is also pending for investigation. It is also the case of the petitioner that both Crime Nos.1481 and 1482 of 2020 are arising out of the same transaction and the same is being investigated by the same Investigating Officer and the Police will have to find out as to which of the person is aggressive in this case.



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3. Learned Additional Public Prosecutor on the other hand submits

that after completion of investigation, the respondent Police have filed a final report and closed the same in Crime No.1481 of 2020, whereas, they have completed the investigation and charge sheet is ready in Crime No.1482 of 2020 and today it is being filed before the Court by way of E-filing. The same is recorded.

4. Once investigation has already been completed, this petition filed seeking for quashment of FIR in Crime No.1481 of 2020 becomes infructuous. Accordingly, this Criminal Original Petition is disposed of. However, soon after filing of the charge sheet today by way of E-filing, the learned Judicial Magistrate is directed to take the said case on file if it is in order. The petitioners are at liberty to challenge the same, in case, if they are advised so. Consequently, the connected miscellaneous petition is closed.

31.07.2023

NCC:yes/no
Index:yes/no
Internet:yes/no

tsg



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DR.D.NAGARJUN, J.

tsg

To

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

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