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CrI.O.P.No.10980 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.10980 of 2024
& CrI.M.P.No.7508 of 2024

Indhirajith @ Ajith

... Petitioner/A1

/versus/

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
Mamballam Police Station,
Chennai.
(Crime No.130 of 2023).

... 1st Respondent/Complainant

2. Renaldin Terrance

... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records of the FIR in Crime No.130 of 2023 pending investigation on the file of the 1st respondent and quash the same.

For Petitioner : Ms.V.Venvizhi

For R1 : Mr.S.Udaya Kumar
Government Advocate (CrI.Side)

ORDER



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The petition is filed to quash the F.I.R. in Crime No.130 of 2023

on the ground that the wordy altercation between friends in a Bar has led to the registration of the complaint by the respondent police for the alleged offences under Section 324, 294(b) and 506(2) of I.P.C. However, the defacto complainant himself is now not ready to proceed with the investigation.

2. This Court, on perusing the F.I.R finds that the defacto complainant is non resident Indian who has come to India during vacation had been brutally attacked by the accused persons.

3. The Learned Government Advocate (CrI.Side) appearing for the 1st respondent submitted that the investigation is completed and final report filed is yet to be taken on file by the Judicial Magistrate.

4. This Court on considering the facts of the case and the submissions made by the Learned Counsel for the petitioner is of the view that the case does not fall within the parameters laid by the Hon'ble Supreme Court in *M/s.Neeharika Infrastructure Pvt. Ltd. -vs- State of Maharashtra and others* case to quash the F.I.R.



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5. Hence, this Criminal Original Petition is dismissed.

WEB CON Consequently, connected Miscellaneous Petition is closed.

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Index : Yes/No.

Neutral Citation : Yes/No.

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Copy to

1. The Inspector of Police, Mamballam Police Station, Chennai.

2. The Public Prosecutor, High Court of Madras, Chennai.

Dr.G.JAYACHANDRAN,J.



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