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Crl.OP.No.6538 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6538 of 2024

and

Crl.M.P.No.4802 of 2024

Ravikumar,
S/o.Rayappa Gounder

... Petitioner

Vs.

1. State Rep. by,
The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District,
(Crime No.5477 of 2010)

2. Vishnu Kumar,
S/o.Palaniyappa Gounder

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the proceedings as against the petitioner in Crime No.5477 of 2010 on the file of the first respondent.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



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ORDER

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This Criminal Original Petition has been filed seeking to quash the First Information Report registered in Crime No.5477 of 2010 pending investigation on the file of first respondent.

2. The case of the prosecution is that on 06.07.2010 at about 06.00 p.m., the petitioner along with three other persons came to the spot and verbally abused the *de facto* complainant and also attacked him with stones. Based on the complaint of the second respondent, the First Information Report came to be registered on 06.07.2010 for offences u/s.294(b), 323 and 506(ii) IPC.

3. When the matter was taken up for hearing, learned Additional Public Prosecutor submitted that no final report has been filed till date.

4. A careful reading of the allegations made in the First Information Report shows that, at the best, the offences u/s.294(b), 323 and 506(i) IPC alone have been made out. There has been absolutely no improvement in this case for the last 14 years. Even if the final report is filed, it is barred under Section 468(2)(c) Cr.P.C. The facts of the present



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case does not warrant exercising jurisdiction u/s.473 Cr.P.C. No useful purpose will be served in keeping this First Information Report pending.

5. In the light of the above discussion, the First Information Report in Crime No.5477 of 2010 pending investigation on the file of first respondent, is hereby quashed.

In the result, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

18.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm

To

1. The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.

2. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J.



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