



Crl.O.P.No.9626 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.9626 of 2024

and

Crl.M.P.No.6695 of 2024

P.Kumar

... Petitioner

Vs.

State Rep.by
The Inspector of Police,
CSCID-Police Station,
Tiruvallur Wing,
Tiruvallur District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records relating to the case in Crime No.40 of 2024 on the file of the respondent police and quash the same.

For Petitioner : Mr.M.Sathya Kumar

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to quash the FIR in Crime No.40 of 2024 pending investigation by the respondent police.



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WEB COPY 2. The learned counsel appearing for the petitioner would submit that the content of the FIR does not disclose any offence attracting Petroleum Act, 1934. Furthermore, the petitioner herein is the Director of the Company and his name was not found in the FIR, however, he was arrested even without following the procedure contemplated under Section 41A of Cr.P.C.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that for adulterating Hydrocarbon oil which was seized in TATA mini tanker lorry, case has been registered and it is under investigation. The final report will be filed within a period of 45 days after receipt of analysis report and submitted that there is a *prima facie* material to show that the possessor of the adulterated Hydrocarbon product attracts offence under Motor Spirit & High Speed Diesel (Regulation of Supply & Distribution & Prevention of Malpractices) Order, 1998 as well as read with Essential Commodities Act, 1955.



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4. In the light of the above submissions, this Criminal Original

Petition to quash is dismissed with liberty to the petitioner herein to wait till the filing of the final report and seek redressal as per law. The respondent police is directed to complete the investigation and file a final report within 45 days from the date of receipt of a copy of this order. Consequently, the connected Criminal Miscellaneous Petition is also dismissed.

24.04.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Inspector of Police,
CSCID-Police Station,
Tiruvallur Wing,
Tiruvallur District.

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



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Dr.G.JAYACHANDRAN,J.

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