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Crl.O.P.No.8147 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8147 of 2024
& Crl.M.P.No.5925 of 2024

G.Arul

... Petitioner/Accused 5

/versus/

1. The Deputy Superintendent of Police,
District Crime Branch-2,
Thiruvannamalai.

2. P.Rekhamathi,
Inspector of Police,
Thellar Police Station,
Vandhavasai Sub Division,
Thiruvannamalai District.

... Respondents/Dejure Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.14 of 2023 registered under Section 406, 417, 420, 120(B), 109 of I.P.C on the file of 1st respondent police and quash the same.

For Petitioner : Mr.T.Mohan, Senior Counsel,
for Ms.P.Soniya

For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

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ORDER

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The petitioner herein is arrayed as one of the accused in the case of malpractice in the examination conducted by Uniform Service Recruitment Board for Grade-II Sub-Inspector of Police.

2. The Learned Counsel for the petitioner states that an innocent call by the petitioner to a known person being now suspected by the police to array him as one of the accused. However, the Learned Government Advocate (Crl.Side) for the respondent submits that in the course of investigation the phone calls and cell phones were recovered from the accused persons and some of the messages and conversation been deleted and therefore, to retrieve the data, the cell phones of the petitioner and others were sent to forensic laboratory and the report is awaited.

3. Further, the Learned Government Advocate (Crl.Side) for the respondent states that within 20 days, they are expecting the report and based on the report, final report will be filed within a period of another 45 days. Since, the contention of the petitioner that he made innocent calls to A1 & A3 but had no role in the alleged crime can be tested only after the report from the Forensic



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laboratory. Therefore, the petition to quash the F.I.R cannot be entertained at this stage. Hence, this ***Criminal Original Petition is dismissed.*** If the final report implicates the petitioner herein for any reason that may be questioned in the manner known to law. Consequently, connected miscellaneous petition is closed.

02.04.2024

Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm

Copy to:-

1. The Deputy Superintendent of Police,
District Crime Branch-2,
Thiruvannamalai.
2. The Inspector of Police,
Thellar Police Station,
Vandhavasai Sub Division,
Thiruvannamalai District.

DR.G.JAYACHANDRAN, J.

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