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Crl.OP.No.18685 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.18685 of 2024

and

Crl.MP.No.11039 of 2024

Jayaprakash

... Petitioner

Vs.

1. State

Rep.by the Inspector of Police,
Maraimalainagar Police Station,
(Cr.No.42 of 2024)

2. Pramila

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C,1973, to call for the records in Cr.No.42 of 2024 pending on the file of the 1st respondent and quash the same.

For Petitioner : Mr.A.Prabhakaran

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)
for R1



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ORDER

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This Criminal Original Petition is filed to quash the Cr.No.42 of 2024 pending on the file of first respondent for investigation and quash the same.

2. The learned counsel appearing for the petitioner states that on 17.01.2024 at about 05.15 p.m., near the petrol bunk, the petitioner was assaulted by two unknown persons, for which, he went to the Government General Hospital, Chengalpattu and took treatment and came back. However, one of the persons who attacked him had given a false complaint to the respondent police in Cr.No.42 of 2024 as if he was attacked by this petitioner. He further submits that the accident register given by the Chengalpet Medical College Hospital for treating one Prabhakaran who is the husband of the defacto complainant in Cr.No.42 of 2024 would clearly show that he was in drunken mode and accidentally fell from his two wheeler. However, subsequently, the said Prabhakaran has gone to the SRM Medical College Hospital and got admitted stating that he had been assaulted by two known persons at around 05.15 p.m., near his residence.



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3. The learned counsel appearing for the petitioner further submits that by obtaining a false accident register from the private hospital suppressing the earlier treatment before the Government General Hospital, Chengalpet, the present complaint has been filed with public motive to cover up the aggression of the Prabhakaran, the husband of the complainant. He further submits that though the petitioner sustained injury, he was not inclined to give any police complaint. Taking advantage of his magnanimity, the aggressor has now filed a false complaint.

4. The learned Government Advocate (CrL.Side) appearing for the respondent police submits that the representation made by the petitioner will be duly considered in the course of investigation and final report will be filed based on the evidence collected. The accident report purported to have given in the name of Prabhakaran will also be examined along with the accident report of the petitioner's Jayaprakash who is named as the accused in Cr.No.42 of 2024 and the report will be filed based on the outcome of the investigation.



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5. Recording the same, this Criminal Original Petition is disposed of directing the respondent police to complete the investigation taking note of all the materials placed before it and file a final report within a period of two months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is closed.

05.08.2024

Vv

To

1. The Inspector of Police,
Maraimalainagar Police Station.
2. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN,J.

Vv

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