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Crl.OP.No.14877 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.14877 of 2024

and

Crl.MP.No.9111 of 2024

Kevin Michael Fernandez

... Petitioner

Vs.

1. The Inspector of Police,
Kattoor Police Station,
Coimbatore City.
(Cr.No.91 of 2024)

2. Murugesan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining Cr.No.91 of 2024 on the file of the 1st respondent police, quash the same in so far as this petitioner/4th accused.

For Petitioner : M/s.Juris and Justia

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate for R1



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ORDER

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The petitioner herein who is named accused in the FIR for the alleged offences under Sections 3(2)(a), 4(2)(c), 5(1)(d) of Immoral Traffic (Prevention) Act, 1954 is before this Court to quash the complaint on the ground that he is an innocent person and wrongly been implicated to malign his reputation. The complaint does not identify him for implicating for any serious overt act.

2. The learned counsel for the petitioner submits that the name Kevin mentioned in the complaint not refers him.

3. This Court after perusing the complaint, finds that there is a specific allegation about one Shalini Shyam and Kevin. If the petitioner able to produce documents that the said Kevin found in the complaint is not he.

4. The respondent police shall take note of it and decide, but, testing the identity of the persons by High Court in the matter pending investigation is correct. Therefore, this Criminal Original Petition to quash is dismissed. Consequently, the connected miscellaneous petition is closed.



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5. However, the petitioner shall participate in the investigation and can produce records to show that he is not the person mentioned in the FIR. If any such document is produced, the Investigating Officer shall take note of it and make appropriate investigation about that document and proceed further.

26.06.2024

Vv

To

1. The Inspector of Police,
Kattoor Police Station,
Coimbatore City.
2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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26.06.2024