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Crl. O.P. No. 21528 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl. O.P. No. 21528 of 2024

1.K. Adimulam
2.N. Kasinathan

.. Petitioners

Vs.

1.The State Rep., by
The Inspector of Police,
G-1, Madhuranthagam Police Station,
Chengalpattu District.
(Crime No. 46 of 2024)

2.Roobalakshmi

.. Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in Crime No.46 of 2024 dated 28.01.2024 pending investigation on the file of the Inspector of Police, G-1 Madhuranthagam Police Station, Chengalpattu District and quash the same.

For Petitioners : Mr. S. Vijayaraghavan

For Respondents : Mr. S. Udayakumar,
Government Advocate for R1

ORDER



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The petitioners are the owner and driver of the offending car seek quash of the complaint registered in Cr.No.46 of 2024 by G-1 Manduranthagam Police, Chengalpet District.

2. The learned counsel appearing for the petitioner submits that the accident occurred due to the negligence of the defacto complainant's brother who came on the wrong side. However, the complaint has been registered against the driver of the car bearing Regn.No.PY-05-B-6006. He further submits that the first petitioner is the owner of the car, no way connected with the incident. However, he is also be interrogated.

3. The learned Government Advocate (Crl.Side) submits that on the complaint dated 28.01.2024 reporting that the accident occurred on 27.01.2024, case in Cr.No.46 of 2024 been registered under Section 279, 337 of IPC and the same is under investigation. The medical report of the injured yet to be received. The complaint was against the driver of the car bearing Regn.No.PY-05-B-6006. The investigation disclose that the said driver who is the second petitioner herein had a valid licence issued by RTO, Pondicherry. The first petitioner herein been ascertained as owner of the car, but, he is not been found involved in the accident. However,



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only after the completion of investigation, the role of the first petitioner and the negligent act of the second petitioner could be ascertained.

4. In view of the fact that investigation is still pending and the Investigating Officer has not arrived at any conclusion about the guilt of these petitioners. It is inappropriate to interfere at this stage and quash the FIR. Hence, this Criminal Original Petition stands dismissed. After filing final report, it is open for the petitioner herein to seek remedy, if is aggrieved by the final report.

04.09.2024

Vv

To

1. The Inspector of Police,
G-1, Madhuranthagam Police Station,
Chengalpattu District.

2. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN,J.

Vv

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