



WEB COPY



Crl.O.P.No.22803 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

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THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

Crl.O.P.No.22803 of 2023

and

Crl.M.P.No.15957 of 2023

Gowri Shankar

... Petitioner

Vs.

State rep by Inspector of Police
B-4 Sevvapet Police Station,
Tiruvallur District.

.. Respondent

PRAYER : The Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records in Crime No.109 of 2022 on the file of the respondent police to quash the same.

For Petitioner	: Mr.S.Suresh
For Respondent	: Mr.A.Gopinath
	Government Advocate (Crl.Side)

ORDER

This petition has been filed to quash the FIR in Cr.No.109 of 2022, registered by the respondents under Section 143 Cr.P.C.



2. When the matter was taken up for hearing, learned counsel for the petitioner produced the information furnished by the Revenue Divisional Officer, Thiruvallur, under the Right to Information Act, on 18.01.2024. He has stated that till date no records have been received by the Revenue Divisional Officer from the respondent.

3. The learned Government Advocate submitted that since there was a dispute between two groups in administering the temple, the matter was also referred to the Joint Commissioner of HR and CE Department to conduct an enquiry.

4. In the considered view of this Court, the very purpose of initiating proceedings under Section 145 of Cr.P.C is to take control of a dispute which is likely to cause an imminent breach of peace. The case was registered as early as on 08.04.2022 and till date the records have not even reached the RDO. It only means that the situation has not worsened and hence no useful purpose will be served in keeping the FIR pending. In view of the same, the FIR registered in Cr.No.109/2022, on the file of the respondent Police stands quashed.



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5. In the result, this Criminal Original Petition is allowed.

Consequently connected miscellaneous petition is closed.

Index : Yes/No

19.01.2024

Internet : Yes/No

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To

1. The Inspector of Police
B-4 Sevvapet Police Station,
Tiruvallur District.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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