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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2024

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Crl.O.P(MD)No.2031 of 2023
and
Crl.M.P(MD)No.1780 of 2023

1. Pitchai @ Pitchaimani

2. Paulsamy

3. Deepan

4. Muthukumar

5. Arun

6. Ajithkumar

... Petitioners

Vs

1. The Inspector of Police,
Checkanurani Police Station,
Madurai District.
(Crime No.10 of 2023).

2. Jesuraja

... Respondents

PRAYER: Criminal Original petitions have been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to call for the records pertaining to the impugned FIR in Crime No. 10 of 2023 on the file of the Inspector of Police, Checkanurani Police station, Madurai District and quash the same as



illegal.

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For Petitioners : Mr.George Paul Anto.L,

For R1 :Mr.B.Thanga Aravindh

Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking to quash the FIR in Crime No.10 of 2023 pending the investigation on the file of the first respondent.

2.The case of the prosecution is that the defacto complainant had cheated several persons and had received money by assuring them that he will get a government job. He escaped from his place and on ascertaining the place, where the defacto complainant was residing, he was kidnapped by the accused persons. The same resulted in the registration of the FIR.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the investigation has been completed and the police report was filed before the learned Judicial Magistrate No.II, Usilampatti on



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10.05.2024 through e-filing mode. The learned Government Advocate (Crl.Side) further submitted that the concerned Court is yet to act upon the final report.

4.Taking into consideration the facts and circumstances of the case and also of the fact that the final report has already been filed on completion of investigation, this Court is not inclined to interfere with the FIR at this stage. If ultimately, the police report is acted upon and process is issued to the petitioners and they are aggrieved by the same, it is left open to the petitioners to workout their remedy in the manner known to law, if so advised.

5.This criminal original petition is disposed of in the above terms. Consequently, the connected miscellaneous petition is closed.

05.11.2024

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR



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To

1. The Inspector of Police,
Checkanurani Police Station,
Madurai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.

LR

Crl.O.P(MD)No.2031 of 2023

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