



CrI.O.P.(MD) No.1953 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.1953 of 2024

and

CrI.M.P.(MD)No.1471 of 2024

- 1.Mubarak Ali
- 2.Abdul Rahuman @ Abdul Rahman
- 3.Mohamed Baruk @ Mohamed Farook
- 4.Aship @ Mohamed Asif
- 5.Abdul Rahuman
- 6.Syed Majith @ Syed Masood
- 7.Mansur @ Mansoor Ali
- 8.Jamila Beevi @ Jamla Beevi
- 9.Ayisha Banu
- 10.Rosamma @ Rabiyyathul Pajariya
- 11.Rahamaith Nisha @ Rahamathunnisha
- 12.Amsath @ Amsath Beham
- 13.Barsana Begam @ Barsana
- 14.Byrose Kani @ Bairose Gani
- 15.Jamila Begam @ Nabila Begam ... Petitioners/ Accused Nos.1 to 15

Vs.



Crl.O.P.(MD) No.1953 of 2024

1.The Inspector of Police

O/o.The Inspector of Police

Pudukkottai Town Police Station,

Pudukkottai District.

(Crime No.63 of 2022) ... 1st Respondent / Complainant

2.Rajagopal ... 2nd Respondent / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for the records pertaining to the F.I.R in Crime No.63 of 2022 on the file of the first Respondent and to quash the same.

For Petitioners : Mr.S.M.A.Jinnah

For R1 : Mr.M.Veeranthiran
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioners submits that the Petitioners are arrayed as Accused Nos.1 to 15. This Petition had been filed by the Petitioners to quash the F.I.R in Crime No.63 of 2022 on the file of the first Respondent. The case in Crime No.63 of 2022 pertains to offences under Sections 143, 283, 269, 270 I.P.C r/w. Section 51(b) of Disaster Management Act, 2005.



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2. The learned Counsel for the Petitioners submits that before ever invoking Section 32 of the Police Act, the case had been registered. Also there was no complaint lodged by the Public. The Investigation Officer and the Complainant are one and the same. Therefore, he seeks to quash the F.I.R in Crime No.63 of 2022.

3. Since the Complainant and the Investigation Officer are one and the same, the F.I.R in Crime No.63 of 2022 is liable to be quashed.

4. Accordingly, this ***Criminal Original Petition*** is allowed and the F.I.R in Crime No.63 of 2022, pending on the file of the The Inspector of Police, Pudukkottai Town Police Station, Pudukkottai District, is hereby quashed. Consequently, connected Miscellaneous Petition is closed.

Internet :Yes./No
Index :Yes/No
NCC : Yes/No
LS

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Crl.O.P.(MD) No.1953 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

LS

To

1.The Inspector of Police
Pudukkottai Town Police Station,
Pudukkottai District.

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

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