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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2024

CORAM

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

Crl.O.P(MD)No.4071 of 2023

Mathiyalagan

... Petitioner

Vs

1. The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.
Crime No.541 of 2021.

2. Kanniammal

... 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 First Information Report in Crime No.541 of 2021 dated 13.11.2021 on the file of the 1st respondent for offence under the section 376 of the Indian Penal Code 1860 and quash the same as illegal.

For Petitioner : Mr.Maniyarasu.K.C.,

For R1 :Mr.A.Albert James
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.541 of 2021, pending on the file of the first respondent.

2. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) on instructions submitted that the investigation has been completed and police report has been filed before the learned Judicial Magistrate, Ilupur and the same is yet to be taken on file.

3. Taking into consideration of the above development and also considering the facts of this case, this Court is not inclined to interfere with the FIR at this stage. If ultimately the police report is acted upon and the parties are aggrieved, they can workout their remedy in the manner known to law.



4.This Criminal Original Petition is disposed of, in the above terms.

20.11.2024

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

To

1. The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.

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



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N.ANAND VENKATESH, J.

LR

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