



CrI.O.P.(MD)No.3994 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.3994 of 2024

and

CrI.M.P.(MD)No.3160 of 2024

Balakrishnan

... Petitioner

Vs.

The Sub Inspector of Police
Alanganallur Police Station,
Madurai District.

Crime No. 501/2023

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the F.I.R. in Crime No. 501 of 2023 dated 12.12.2023 on the file of the respondent police and quash the same as illegal in respect of petitioner concerned.

For Petitioner : Mr.R.Manoharan

For Respondent : Mr.P.Kottaichamy

Government Advocate (CrI.Side)

ORDER

This Petition is filed to quash the F.I.R in Crime No. 501 of 2023 pending on the file of the Sub Inspector of Police, Alanganallur Police Station, Madurai District.



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2. The learned counsel for the petitioner submits that the petitioner was in possession of 15 gms of tobacco product for his self-consumption and not for sale. The petitioner is arrayed as Accused No.2 and it is the Accused No.1, who was having large quantity of tobacco products.

3.The learned Government Advocate (Criminal Side) submits that the case was registered 12.12.2023 and the investigation is yet to be completed.

4.This court considered the rival submissions made.

5.The case is pending at the stage of investigation. The grounds raised by this petitioner can very well be considered by the investigating officer during the course of investigation. The FIR is nothing but registering the complaint in the register of the Police. The purpose of investigation is to find out truth whether the complaint is genuine or not. The investigating officer is expected to conduct the investigation in a fair manner by considering the evidence produced by the defacto complainant and the accused. The grounds raised by this petitioner herein can very well be appreciated by the investigating officer during the course of investigation.



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6.The motto of the government in its emblem is Truth Alone Triumphs and therefore, it is the responsibility of every government servant including the investigating officer to discharge their duty as expected by the government and to ensure Truth alone Triumphs.

7.Therefore, this petition is closed with liberty to the investigating officer to conduct an investigation by considering the points raised in this application, during his course of investigation and shall conclude the investigation within a period of three months, from the date of receipt of copy of this order, either by filing final report or with a closure report. Consequently, connected Miscellaneous Petition is closed.

10.04.2024

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



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B.PUGALENDHI,J

LS

To

- 1.The Sub Inspector of Police
Alanganallur Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.3994 of 2024

10.04.2024