



CrI.O.P.(MD)No.4715 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **08.04.2024**

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD) No.4715 of 2024
and
CrI.M.P(MD).No.3680 of 2024

Manikandan

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
S.S.Colony Police Station,
Madurai City,
Madurai District.

2.Dhilipan
Sub Inspector of Police,
S.S.Colony Police Station,
Madurai City,
Madurai District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the impugned FIR in Crime No.1764 of 2023 on the file of the respondent police station and quash the same.

For petitioner
For Respondents

: Mr.M.Paramasivam
: Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



ORDER

WEB COPY

The petitioner has filed this petition, seeking to quash the Crime No.1764 of 2023 on the file of the respondent police station and quash the same.

2. The case of the prosecution is that the petitioner has been found in illegal possession of banned tobacco products and selling the same to the college students. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner did not involve in any crime as alleged by the prosecution and petitioner was falsely implicated in this case. He further submits that the petitioner was called by the respondent police on 26.11.2023 for enquiry and on the very same day, he was arrested by the respondent police as if banned tobacco products was recovered from the petitioner's shop. He further submits that no search was made in his shop.

4.The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner is involved in six cases of similar in nature.



Crl.O.P.(MD)No.4715 of 2024

5.Considering the nature of offence and the antecedents of this petitioner, this Court is not inclined to entertain this petition.

Accordingly, this Criminal Original Petition is dismissed. The Assistant Commissioner of Police, Thilagarthidal, Madurai City, is directed to conduct a fair investigation and also file a final report before the concerned Court as expeditiously as possible. After filing the final report before the concerned Court, the petitioner shall raise all the grounds before the concerned trial Court during the trial process. Consequently, the connected miscellaneous petition is closed.

08.04.2024

Index : Yes/No
Internet : Yes/No
tta



WEB COPY

To

Crl.O.P.(MD)No.4715 of 2024



- 1.The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
- 2.Dhilipan,
Sub Inspector of police,
S.S.Colony Police Station,
Madurai City,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy To:-

- 4.The Assistant Commissioner of Police,
Thilagarthidal,
Madurai City.



WEB COPY



CrI.O.P.(MD)No.4715 of 2024

B.PUGALENDHI,J

tta

CrI.O.P.(MD)No.4715 of 2024

08.04.2024