



**Crl.O.P.(MD) No.4580 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 18.04.2024

CORAM

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

**CRL.O.P (MD) No.4580 of 2024**

**and**

**CRL.M.P(MD).Nos.3589 & 3393 of 2024**

Paul Palanichamy

...Petitioner/Accused No.3

Vs

1.The Inspector of Police,  
Odaipatti Police Station,  
Theni District.  
(Cr.No.159 of 2017)

2.Johny Sophia Poppy

...Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the impugned FIR Crime No.159 of 2017 dated 27.07.2017 on the file of the respondent No.1 Police, Madurai District offences U/s.435 of IPC 1860 and quash the same as illegal.

For Petitioner : Mr.A.Ganesan

For R1 : Mr.M.Sakthi Kumar  
Government Advocate (Crl. Side)



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## **ORDER**

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The accused in Crime No.159 of 2017 has filed this application to quash the FIR pending against him.

2.The case of the prosecution is that the defacto complainant is the owner of the poultry farm. The petitioner and other accused were working the defacto complainant's farm. Due to previous enmity, there was some dispute between the petitioner and the de-facto complainant. On the date of alleged occurrence, the petitioner and other accused threatened the defacto complainant that they will set fire to the farm and on 26.07.20217, the defacto complainant's farm caught fire. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The case of the petitioner is that there is no dispute between the defacto complainant and the petitioner. The petitioner has been falsely implication in this case.

4.The learned Government Advocate (Criminal Side) submits that the



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case was registered on 27.07.2017 and it is a matter for investigation.

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5.This court considered the rival submissions made.

6.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 petitioners herein can very well be appreciated by the investigating officer during the course of investigation.

7.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.



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8. Therefore, this petition is dismissed with liberty to the investigating officer to conduct the investigation by considering the points raised in this application, during the course of investigation and shall conclude the investigation as expeditiously as possible either by filing final report or with a closure report.

9. Consequently, connected miscellaneous petitions are closed.

**18.04.2024**

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

jbr

To

1. The Inspector of Police,  
Odaipatti Police Station,  
Theni District.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**B.PUGALENDHI, J.**

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