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Crl.O.P.(MD) No.4554 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.4554 of 2024

and

CRL.M.P (MD) No.3564 of 2024

Abithsigh @ Abithsingh,

... Petitioner

Vs

The State represented by
The Inspector of Police,
Kumbakonam PEW Police Station,
Kumbakonam
Thanjavur District.
Crime No.189/2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to FIR in Crime No.189 of 2024 dated 12.03.2024, on the file of the respondent police and quash the same as against the petitioner.

For Petitioner : Mr.D.Ramesh Kumar

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)



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ORDER

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The accused in Crime No189 of 2024 has filed this application to quash the FIR pending against him.

2.The case of the prosecution is that the petitioner herein sold liquor beyond the permitted hours. Hence the case was registered.

3.The learned Counsel for the petitioner submits that the petitioner was not found possession of liquor and only based on the confession statement of the Accused Nos.2 and 3, the petitioner was implicated in this case.

4.The learned Government Advocate (Criminal Side) submits that the case was registered only on 12.03.2024 and it is matter for investigation

5.This court considered the rival submissions made.

6.The case is pending at the stage of investigation. The grounds



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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.

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.

8.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 six months either by filing final report or with a closure report.



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9. Consequently, the connected miscellaneous petition is closed.

02.04.2024

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

LR

To

1. The Inspector of Police,
Kumbakonam PEW Police Station,
Kumbakonam
Thanjavur District.

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



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B.PUGALENDHI, J.

LR

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