



Crl.O.P.(MD) No.4581 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.4581 of 2024

and

CRL.M.P.(MD).No.3590 of 2024

P.Pugalendhi

...Petitioner

Vs

**1.The State rep. by
Inspector of Police,
Thillai Nagar Police Station,
Trichy City.
(Cr.No.747 of 2015)**

2.G.Buvaneshwari

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the FIR in Crime No.747 of 2015 dated 20.11.2015 on the file of the 1st respondent and quash the same as against the petitioner.

For Petitioner : Mr.S.Madhan Kumar

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



CrI.O.P.(MD) No.4581 of 2024

ORDER

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The accused in Crime No.747 of 2015 has filed this application to quash the FIR pending against him.

2.The case of the prosecution is that the second respondent is working as an Assistant Superintendent in Postal Department and the petitioner is working as a Postman. The petitioner has not disbursed the Old Age pension amount to the victim. Based on the complaint of the victim, the second respondent after conducting an enquiry lodged a complaint before the respondent police. Hence, the case has been registered in Crime No.747 of 2015 as against the petitioner.

3.The learned Counsel for the petitioner submitted that the petitioner is in no way connected with the illegal activity. The petitioner has been falsely implicated in this case. Therefore, the FIR in Crime No.747 of 2015, is liable to be quashed.

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



Crl.O.P.(MD) No.4581 of 2024

petitioner as a Postman has not disbursed the Old Age pension amount to the victim for the past 10 months and it is a matter for investigation.

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.



Crl.O.P.(MD) No.4581 of 2024

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8. Therefore, this petition is dismissed with a direction to the respondent police to file report as expeditiously as possible preferably within a period of three months from the date of receipt of a copy this order and the Assistant Commissioner of Police concerned is directed to monitor the investigation.

9. Consequently, connected miscellaneous petition is closed.

18.04.2024

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

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To

1. The Inspector of Police,
Thillai Nagar Police Station,
Trichy City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4/5



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CrI.O.P.(MD) No.4581 of 2024

B.PUGALENDHI, J.

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CRL.O.P (MD) No.4581 of 2024
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CRL.M.P.(MD).No.3590 of 2024

18.04.2024