



CrI.O.P.(MD) No.4784 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.4784 of 2024

and

CRL.M.P(MD).No.3748 of 2024

R.Dharma

...Petitioner

Vs

**1.The Inspector of Police,
Theni Police Station,
Theni, Theni District.
(Cr.No.403 of 2018)**

2.Manikandan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in Cr.No.403 of 2018 on the file of the Inspector of Police, Theni Police Station, Theni, Theni District.

For Petitioner : Mr.R.Velmurugan

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



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ORDER

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The accused in Crime No.403 of 2018 has filed this application to quash the FIR pending against him.

2.The case of the prosecution is that when the defacto complainant visited the medical shop of the petitioner, he had recovered syringe and empty saline bottle from the shop. After conducting an enquiry, it is found that the petitioner has given treatment to the patients without getting permission from the Indian Medical Council. Hence, the case has been registered.

3.The learned Counsel for the petitioner submitted that on information, FIR has been registered on 12.06.2018 and the respondent police has not filed a final report within a period of three years. Therefore, the FIR in Crime No.403 of 2018 is liable to be quashed under Section 468 of Cr.P.C.

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



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investigation was already completed and final report has been filed before the learned Judicial Magistrate concerned which is yet to be taken on file.

Also, he submitted that the petitioner herein has indulged in similar offence for which a case has been registered in Crime No.1157 of 2017 before the Inspector of Police, Theni Police Station.

5.This court considered the rival submissions made.

6.Since it is reported that the respondent police has already filed the final report, this Criminal Original Petition is closed with a direction to the learned Judicial Magistrate concerned to take the final report on file, within a period of four weeks, from the date of receipt of a copy of this order and the petitioner is at liberty to challenge the final report. Consequently, connected miscellaneous petition is closed.

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

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To

WEB COPY

1. The Inspector of Police,
Theni Police Station,
Theni, 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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