



Crl.O.P.(MD)No.7725 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.7725 of 2022

and

Crl.MP(MD)No.5271 of 2022

D.Mohanraj

... Petitioner/Accused No.1

Vs.

1.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(Crime No.43 of 2021)

... Respondent/Complainant

2.Sarulatha

... Respondent/Defacto Complainant

PRAYER:- Petition filed under Section 482 of Cr.P.C., to call for the records in Crime No.43 of 2021 on the file of the Inspector of Police, Poovanthi Police Station, Sivagangai District and quash the same as illegal as against the petitioner/A1 is concerned.

For Petitioner : Mr.N.Mohideen Basha

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor

For R2 : No Appearance



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ORDER

WEB COPY This petition has been filed seeking quashment of First Information Report in Crime No.43 of 2021 on the file of the Inspector of Police, Poovanthi Police Station, Sivagangai District.

2.The learned counsel appearing for the petitioner would submit that initially the Law Enforcing Agency registered a case for the offence under Section 174 of Cr.P.C., After investigation, it was altered into the offence under Section 306 of IPC and implicated the petitioner as one of the accused. Aggrieved by the same, the present petition is filed.

3.He would further submit that one of the co-accused has filed a petition before this Court for seeking quashment of FIR in Crime No.43 of 2021 and the same was quashed by this Court. Hence, this Court may grant liberty to the petitioner to produce the said order before the Investigating Officer during the time of investigation and direct the investigating Officer to consider the same before concluding the investigation.

4.In view of the same, the petitioner is at liberty to produce the decision of this Court in respect of the co-accused before the Law Enforcing Agency for



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appropriate orders and the Investigating Officer is directed to consider the same and conclude the investigation within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed.

Consequently, the connected miscellaneous petition is closed.

26.02.2024

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

To

1.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.

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



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M.DHANDAPANI, J.

dss

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