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Crl.O.P.(MD) No.5319 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.5319 of 2024

and

CRL.M.P (MD) No.4159 of 2024

A.Babu,

... Petitioner

Vs

State represented by
The Inspector of Police,
Somarasampet Police Station,
Trichy.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the proceeding in Crime No. 301 of 2023 dated 27.10.2023 on the file of the respondent and to quash the same so far as the petitioner.

For Petitioner : Mr.K.Neethi Mohan

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

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The accused in Crime No.301 of 2023 has filed this application to quash the FIR pending against him.

2.The case of the prosecution is that the accused persons have misused two women for immoral activities and committed the offence of prostitution. The accused persons were arrested on 27.10.2023 and the case has been registered.

3.The learned Counsel for the petitioner submits that the victim women has not said anything about the petitioner herein and he is no way connected with the illegal activity. The petitioner was not present at the place of occurrence. He only reached the spot at 03.30 p.m, but the search was conducted at 02.30 p.m. Therefore, the FIR in Crime No.301 of 2023, is liable to be quashed.

4.The learned Additional Public Prosecutor submits that the case was registered only on 27.10.2023 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 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 dismissed with liberty to the investigating



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officer to conduct the investigation by considering the points raised in this application, during the course of investigation and shall conclude the investigation within a period of four months either by filing final report or with a closure report.

9. Consequently, the connected miscellaneous petition is closed.

05.04.2024

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

LR

To
1.The Inspector of Police,
Somarasampet Police Station,
Trichy.

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



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B.PUGALENDHI, J.

LR

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