



Crl.O.P.(MD)No.9918 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD) No.9918 of 2024 and
Crl.MP(MD) No.6760 of 2024

Karthikeyan

... Petitioner

Vs

1.The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Crime No.554 of 2022)

2.Dinesh Babu

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned FIR in Crime No.554 of 2022, dated, 12.09.2022 on the file of the first respondent and quash the same as illegal.

For Petitioner

: Mr.D.Senthil

For R1

: Mr.M.Sakthi Kumar

Government Advocate(Crl.side)

ORDER

This Criminal Original Petition is filed to quash the proceedings in Crime No.554 of 2022, dated, 12.09.2022, which is pending on the file of the first respondent.



Crl.O.P.(MD)No.9918 of 2024

2.The case of the prosecution is that the defacto complainant is the tenant under the petitioner's father. After his demise, the petitioner's mother received the rent from the defacto complainant and she insisted the defacto complainant to vacate the premises. However, the petitioner has locked the premises and not allowed the defacto complainant to take his belongings and also threatened him by using pistol. Therefore, a case has been registered as against the petitioner for the offences punishable under Sections 294(b), 341, 447 and 506(ii) of IPC in Crime No.554 of 2022.

3.The learned counsel appearing for the petitioner submits that the defacto complainant is a tenant under the mother of the petitioner and at the time of vacating the rented premises, there was some wordy altercation, for which, the case has been registered as against this petitioner. The petitioner has also raised several other grounds in support of this petition.

4.The learned Government Advocate (Criminal Side) appearing for the first respondent submits that the investigation is yet to be completed.



Crl.O.P.(MD)No.9918 of 2024

WEB COPY

5.This court considered the rival submissions made.

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



Crl.O.P.(MD)No.9918 of 2024

8. Therefore, this petition is closed with liberty to the investigating 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. Consequently, the connected miscellaneous petition is closed.

09.07.2024

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



Crl.O.P.(MD)No.9918 of 2024

To

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- 1.The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(Crime No.554 of 2022).
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.9918 of 2024

B.PUGALENDHI,J

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Order made in
Crl.OP(MD) No.9918 of 2024 and
Crl.MP(MD) No.6760 of 2024

09.07.2024