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CrI.O.P.(MD)No.10236 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.(MD) No.10236 of 2022

and

CrI.M.P.(MD).No.6409 of 2022

Inbaraj

... Petitioner/ Accused No.33

Vs.

1.The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.343 of 2012)

2.Thirumurugan,
Sub Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.343 of 2012 on the file of the first respondent and quash the same insofar as the petitioner is concerned and allow this Criminal Original Petition.

For petitioner : Mr.C.K.M.Appaji

For R-1 : Mr.P.Kottaichamy,
Government Advocate
(Criminal Side)



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3. The learned counsel appearing for the petitioner would submit that the respondent Police has included the petitioner's name in the FIR without considering the real fact. He would further submit that there is no specific overtact against the petitioner

4. The learned Government Advocate (Criminal Side) appearing for the first respondent Police would submit that there are materials available to proceed with the case as against the petitioner herein and at the threshold, the criminal proceedings cannot be quashed and hence, he would pray to dismiss the present petition.

5. On a reading of the FIR, there appears to be some materials for the investigation to proceed. Interfering with the investigation, which is at an infancy stage under Section 482 of the Code of Criminal Procedure, will be against the law laid down by the Supreme Court in *State of Haryana and others vs. Bhajan Lal and others* reported in *1992 Supp (1) SCC 335*.

6. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

However, the first respondent Police is directed to conclude the



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investigation in Crime No.343 of 2012 within a period of four weeks
from the date of receipt of a copy of this order.

26.02.2024

Index : Yes/No

Internet : Yes/No

TSG

To

- 1.The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.343 of 2012)
- 2.The Sub Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

TSG

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