



Crl.O.P.(MD)No.8851 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.8851 of 2024

and

Crl.M.P.(MD)No.6088 of 2024

Bharathi Raja

... Petitioner/A7

Vs.

1.State Rep. by

The Inspector of Police,
Chinnamanur Police Station,
Theni District.

Crime No.182 of 2024

... 1st Respondent/Complainant

2.Kamalesh

... 2nd Respondent/De-facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.182 of 2024 dated 26.04.2024 on the file of the Inspector of Police, Chinnamanur Police Station, Theni District.

For Petitioner : Mr.S.Sundarapandian

For R1 : Mr.M.Sakthikumar
Government Advocate (Crl. side)



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ORDER

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This Criminal Original Petition is filed to quash the First Information Report in Crime No.182 of 2024 pending on the file of the first respondent police.

2.The case of the prosecution is that there was a wordy quarrel between the parties during the temple festival, due to which, the petitioner and others came to the defacto complainant's house, attacked him and also threatened him with dire consequences. Hence, the case.

3.The learned counsel for the petitioner submits that the petitioner was not at all present in the scene of occurrence. However, he has also been added as an accused in this case. Even according to the First Information Report, there is no specific allegation against the petitioner.

4.The learned Government Advocate (Crl. side) submits that it is a matter for investigation and it can be raised during the course of investigation.

5.This Court considered the rival submissions made.



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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 these 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 closed with a direction to the respondent police to conduct the investigation in a fair manner, by considering the points raised in this application, during the course of



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investigation and conclude the investigation within a period of two months either by filing final report or with a closure report. In the event, if the final report is filed against him, it is always open to the petitioner to challenge the final report in the manner known to law. Consequently, connected miscellaneous petition is closed.

19.06.2024

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

- 1.The Inspector of Police,
Chinnamanur Police Station,
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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