



CrI.O.P.(MD)No.8628 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD) No.8628 of 2024 and
CrI.MP(MD) No.5911 of 2024

Sathishkumar

... Petitioner

Vs

1.The Inspector of Police,
Saptur Police Station,
Madurai District.
(In Crime No.173/2023).

2.Valliyammal

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records relating to the FIR in Crime No.173 of 203 on the file of the 1st respondent Police and quash the same in so far as the Petitioner/Accused No.8 is concerned .

For Petitioner

: Mr.R.Gowrishankar

For R1

: Mr.M.Sakthi Kumar

Government Advocate(Crl.side)

ORDER

This Criminal Original Petition is filed to quash the proceedings in Crime No.173 of 2023, on the file of the respondent police, insofar as the petitioner is concerned.



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2.The case of the prosecution is that on 12.11.2023, at about 3.00 p.m., the accused persons came in a two wheeler in a drunken mood and also in a rash and negligent manner and dashed against the defacto complainant's son and when the same was questioned by the defacto complainant's brother's son, the accused persons attacked him with an iron road, thereby, caused injuries to him. The petitioner is A8 in this case.

3.The learned counsel appearing for the petitioner submits that petitioner is arrayed as eighth accused in this case. At the time of occurrence, he was working at Bangalore. However, the case has been mechanically registered based on the complaint of the defacto complainant, by including the petitioner also. 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 in this case is yet to be completed.

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 the petitioners 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.

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



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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.

03.07.2024

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

To

- 1.The Inspector of Police,
Saptur Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
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