



Crl.O.P.(MD)No.12007 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.12007 of 2022

and

Crl.M.P(MD) No.7586 of 2022

Augustin

... Petitioner/11th Accused

Vs.

1.The Inspector of Police,
Thattarmadam Police Station,
Thattarmadam,
Thoothukudi District.

...1st Respondent/Complainant

2.Dhanasingh Jeyaraj

...2nd Respondent/Defacto
Complainant

Prayer: The Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the above FIR in Crime No. 156 of 2022 on the file of the Inspector of Police, Thattarmadam Police Station, Thattarmadam, Thoothukudi and quash the same.

For Petitioner

: Mr.Selva Kumar.V

For R1

: Mr.S.Manikandan,
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to call for the records pertaining to the FIR in Crime No.156 of 2022 on the file of first respondent Police and quash the same as illegal as against the petitioner.

2. The learned counsel for the petitioner would submit that the petitioner is a innocent person and a false case has been foisted against him. However, it would suffice, if this Court directs first respondent Police to complete the investigation withint the time stipulated as per rules and also permits the petitioner to canvass all those points before the first respondent Police and to produce the necessary documents to disprove the defacto complainant's case.

3. The learned Government Advocate (Crl.Side) would submit that if the Investigation Officer is satisfied by the points raised by the petitioner and the necessary documents produced by the petitioner, the Investigation Officer will refer the case as further action dropped.



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4. Considering the submissions made by the counsels on either side, the first respondent is directed to complete the investigation within a period of four weeks from the date of receipt of copy of this order. Based upon the result of investigation, the first respondent is directed to refer the FIR in Crime No.156 of 2022 as further action dropped or to file the Charge Sheet. The petitioner is at liberty to canvass all those points before the respondent Police and to produce the necessary documents to disprove the defacto complainant's case at the time of investigation.

5. With the above direction and liberty, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

29.02.2024

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

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M.DHANDAPANI,J.

Indu

To:

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

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