



Crl.O.P.(MD)No.13021 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.13021 of 2022

and

Crl.M.P.(MD)No.8261 of 2022

Thameem Ansari

... Petitioner

Vs.

1.State through
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
(In Crime No.102 of 2013)

2.Manishivaraja,
Passport Officer,
Regional Passport Office,
Madurai.

... 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.102 of 2013 dated 11.05.2013 on the file of the first respondent Police and to quash the same as illegal so far as the petitioner is concerned.

For Petitioner : Mr.A.Arputharaj



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CrI.O.P.(MD)No.13021 of 2022

For R1

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

ORDER

This Criminal Original Petition has been filed to quash the impugned FIR in Crime No.102 of 2013 dated 11.05.2013 on the file of the first respondent Police.

2.The case of the prosecution is that the petitioner applied for passport before the second respondent and produced transfer certificate. The second respondent verified the said certificate through Headmaster, Panchayat Union Middle School, Oppilan, as to ascertain its genuine and they sent a reply stating that the above said certificate was not issued by them. Hence, the second respondent preferred a complaint before the first respondent, based on which a case in Cr.No.102 of 2013 was registered for the offences punishable under Sections 465, 468, 471 IPC r/w 12(1)(B) of the Indian Passport Act, 1967. Challenging the same, the present petition has been filed by the petitioner.



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3.The learned counsel appearing for the petitioner submitted that the impugned FIR was registered in the year 2013 and still investigation has not been completed and hence, this Court may direct the first respondent to complete the investigation within a time frame and also permit the petitioner to produce necessary documents before the Investigating Officer in order to disprove the prosecution case.

4.In view of the fair request made by the learned counsel for the petitioner, this Court directs the first respondent Police to conduct investigation in Cr.No.102 of 2013 and complete the same, within a period of four weeks from the date of receipt of a copy of this order, by providing necessary opportunity to the petitioner. The petitioner is at liberty to produce necessary documents before the Investigating Officer in order to disprove the prosecution case. Accordingly, 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.

gns

To

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

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