



CrI.O.P.(MD) No.13219 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.13219 of 2023

and

CrI.M.P.(MD) No.10322 of 2023

N.Shanmugam

...Petitioner

vs

**1.The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
Crime No.367 of 2022**

2.V.Aarthi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for the records pertaining to the impugned First Information Report in Crime No.367 of 2022 on the file of the 1st Respondent Police Station and quash the same as illegal as against the Petitioner is concerned.

For Petitioner : Mr.Henri Tiphagne

**For R1 : Mr.B.Thanga Aravindh
Government Advocate (CrI.side)**



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner had got orders for quashing series of FIRs before this Court. The only FIR pending against him is Cr.No.367 of 2022. The learned Counsel for the Petitioner invited the attention of this Court to the contents of the FIR, wherein, it is stated that the Petitioner herein was seen outside the mortuary room, when the deceased Jeganthan's body was in the mortuary. He was heard provoking another close associate of his that we should protest in a manner as was happened in Kallakurichi. Based on such ground, the FIR had been registered by the complainant, who is a Police official, the second Respondent.

2. Based on 7(1)(a) of the Criminal Law Amendment Act, the learned Counsel for the Petitioner seeks to quash the FIR. Also, he relied on the order in Cont.P(MD)No.806 of 2023 in W.P.(MD)No.28239 of 2022. After which, history sheet was closed. Therefore, he seeks to quash the FIR in Cr.No.367 of 2022 pending on the file of the Pasupathipalayam Police Station, Karur District.



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3.The learned Counsel for the Petitioner filed additional typed set of papers giving out the details of all the previous cases and the Court proceedings ending in favour of the Petitioner including the contempt petitions against the Respondent Police.

4.The learned Government Advocate (Crl.side), on instructions from the Respondent Police, submitted that the Petitioner had eight pending cases. The learned Government Advocate (Crl.side) had also filed counter disputing the contention of the learned Counsel for the Petitioner stating that there are many cases pending against the Petitioner.

5.In the light of the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side) and the additional typed set of papers furnished by the Petitioner and the provisions of law quoted in the FIR in Crime No.367 of 2022, the FIR in Crime No.367 of 2022 pending on the file of the first Respondent is hereby quashed.



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This Criminal Original Petition is allowed, accordingly.

Consequently, connected Miscellaneous Petition is closed.

Internet :Yes./No
Index :Yes/No
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To

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



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SATHI KUMAR SUKUMARA KURUP, J.

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