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Crl.O.P.(MD)No.19783 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) No.19783 of 2022

and

Crl.M.P.(MD).No.13601 of 2022

Savarimuthu Sakkiereeyas

... Petitioner

Vs.

1.The sate rep. By
The Sub Inspector of Police,
Sempatti police Station,
Dindigul District.

2.Mathivanan
Forest Officer,
Sirumalai Forest Offices,
Dindigul District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings of FIR in Crime No.257 of 2022 on the file of the first respondent police and quash the same.

For petitioner
For Respondents

: Mr.V.Pandiyan
: Mr.S.Manikandan
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.257 of 2022 on the file of the first respondent Police, insofar as the petitioner is concerned.

2. The case of the prosecution is that the petitioner hunted the deer by using rifle and the Forest Officer seized 7 Kgs of deer flesh and the had of the deer from the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that without going into the merits of the case, this Court may issue a direction to the first respondent police to complete the investigation within a stipulated period by providing an opportunity to the petitioner in order to disprove the complaint preferred by the second respondent.

4. The learned Government Advocate (Criminal Side) appearing for the first respondent Police would submit that the investigation in this case will be completed within a period of 12 weeks.



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5. In view of the submission made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the first respondent Police to conclude the investigation in Crime No257 of 2022, within a period of 12 weeks from the date of receipt of a copy of this order by providing necessary opportunity to both parties and after completing the investigation, if any cognizable offences are made out, the first respondent Police shall file a charge sheet in the manner known to law. In case if cognizable offences are not made out, the first respondent Police shall close the case as “mistake of fact” or “Action Dropped”. The petitioner is at liberty to produce all documents, in order to prove that there is no criminality in the complaint preferred by the second respondent.

6. Accordingly, this Criminal Original Petition is disposed of. Connected miscellaneous petition is closed. Consequently, the connected miscellaneous petition is closed.

18.03.2024

Index : Yes/No
Internet : Yes/No
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The Sub Inspector of Police,
Sempatti police Station,
Dindigul District.
2. Mathivanan
Forest Officer,
Sirumalai Forest Offices,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI. J.

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