



WEB COPY



Crl.O.P.(MD)No.20637 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.O.P.(MD) No.20637 of 2022**

**and**

**Crl.M.P.(MD).No.14365 of 2022**

1.A.Pandeeswaaran

2.Manikandan

... Petitioners

Vs.

1.State through  
the Sub Inspector of Police,  
Kollidam Police Station, Trichy  
Crime No.226 of 2022

2.Govindammal

...Respondents

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records to the case registered in FIR in Crime No. 226/2022 on the file of the 1<sup>st</sup> respondent and quash the same as illegal.

For petitioner : Mr.G.Anto Prince

For R-1 : Mr.S.Manikandan,  
Government Advocate (Criminal Side)

For R-2 : Mr.R.L.Dhilipan Pandian

### **ORDER**

This criminal original petition has been filed to quash the first information report in Crime No.226/2022 on the file of the respondent

<https://www.mhc.tn.gov.in/> police for offences under Sections 279, 337 @ 304A IPC.



2. The case of the prosecution is that it is alleged that when the husband of the de-facto complainant was riding his two wheeler, the car driven by the first petitioner dashed against the de-facto complainant and as a result of which, the deceased succumbed to the injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the first petitioner is the Driver and the 2<sup>nd</sup> petitioner is the owner of the vehicle and the first petitioner, though the owner, he has no role in the said accident. He would further submit that the 2<sup>nd</sup> petitioner has also sustained injuries in the said accident. He would pray 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 and prove his innocence by producing necessary documents.

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



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5. In view of the fair submission made by the learned counsel appearing for the petitioners, this Court is inclined to dispose the present petition by giving necessary direction to the first respondent Police. Accordingly, the first respondent Police is directed to conduct the investigation 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 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. Incase, if cognizable offences are not made out, the first respondent Police shall close the case as “mistake of fact”. The petitioners are at liberty to produce all documents, in order to prove that there is no criminality in the complaint preferred by the second respondent.

5. In the result, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

**21.03.2024**

NCC : Yes/No  
Index : Yes/No

RR



Cr1.O.P.(MD)No.20637 of 2022

To

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



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**M.DHANDAPANI. J.**

RR

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