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Crl.O.P.(MD)No.21724 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.03.2024**

CORAM:

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

Crl.O.P.(MD) No.21724 of 2022

Selvamurugan @ Selvam

... Petitioner

Vs.

1.The Sub-Inspector of Police,
Thazhamuthunagar Police Station,
Thoothukudi District.
Crime No.354/2022.

2.Navas

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned First Information Report in Crime No.354 of 2022 pending on the file of the first respondent Police and quash the same.

For petitioner : Mr.P.Rajesh

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

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.354 of 2022 for the alleged offence punishable under Sections 341, 294(b), 387, 307 and



506(2) IPC, on the file of the first respondent Police.

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2. The case of the prosecution is that on 13.10.2022, when the defacto complainant was walking nearby RC School main road, the petitioner/accused waylaid the defacto complainant and tried to snatch the money from the defacto complainant and threatened him by showing sickle and threatened the people surrounded nearby the place. 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.

5. In view of the submission made by the learned counsel appearing for the petitioner, this Court, without going into the merits of



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the case, directs the first respondent Police to conclude the investigation in Crime No.354 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”. 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.

22.03.2024

Index : Yes/No
Internet : Yes/No
ssb

To

1.The Sub-Inspector of Police,
Thazhamuthunagar Police Station,
Thoothukudi District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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M.DHANDAPANI. J.

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