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Crl.O.P.(MD)No.22978 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.03.2024

CORAM:

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

Crl.O.P.(MD) No.22978 of 2022

and

Crl.M.P.(MD).No.16273 of 2022

1.Iqbal
2.Ramadoss
3.Muruganantham
4.Srinivasan

... Petitioners

Vs.

1.The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
Crime No.140 of 2022.

2.Kumar

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the FIR in Crime No.140 of 2022 pending on the file of the first respondent Police.

For petitioner

: Mr.G.Thalaimutharasu

For R-1

: Mr.S.Manikandan
Government Advocate (Crl.side)



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ORDER

This petition has been filed seeking to quash the proceedings in Crime No.140 of 2022 on the file of the first respondent Police, insofar as the petitioners are concerned.

2. The case of the prosecution is that the first petitioner is working as Forest Range Officer, the second petitioner is working as Forester, the third petitioner is working as Forest Guard and the fourth petitioner is working as Forest Watcher. In the year 2020, when they were working at Pattukottai Forest Range, they illegally cut down 16 teak wood trees at 1983 Mogur Vattakudi Canal and got monetary benefit and caused financial loss to the Government Exchequer. Initially, D.V.A.C conducted preliminary enquiry and gave a report on 24.02.2020. On receipt of the report, the Chief Conservator of Forests, Chennai, forwarded the same to the Chief Conservator of Forests, Trichy Circle, who, in turn, directed the District Forest Officer, Thanjavur District, to take appropriate action against the delinquent officers. The District Forest Officer, Thanjavur Division, directed the second respondent to lodge the present complaint against the petitioners, pursuant to which, a case in Crime No.140 of 2022 was registered for the offence punishable



under Sections 409, 379 and 420 IPC. Challenging the same, the present petition has been filed.

3. The learned counsel appearing for the petitioner would submit that a false case has been foisted against the petitioners and there is no specific overtact against the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the first respondent Police would submit that there are materials available to proceed with the case as against the petitioners herein and at the threshold, the criminal proceedings cannot be quashed and hence, he would pray to dismiss the present petition.

5. On a reading of FIR, there appears to be some materials for the investigation to proceed against the petitioners. Interfering with the investigation, which is at an infancy stage under Section 482 of the Code of Criminal Procedure, will be against the law laid down by the Supreme Court in *State of Haryana and others vs. Bhajan Lal and others* reported in *1992 Supp (1) SCC 335*.



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6. Accordingly, this Criminal Original Petition stands dismissed.

Consequently, connected miscellaneous petition is closed.

27.03.2024

Index : Yes/No

Internet : Yes/No

ssb

To

1.The Inspector of Police,
Madukkur Police Station,
Thanjavur District.

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



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M.DHANDAPANI. J.

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