



Crl.O.P.(MD)No.1069 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.1069 of 2023
and Crl.M.P.(MD) No.978 of 2023

1.Mohamad Rafik
2.Vimal Ganesh

... Petitioners/
Accused Nos.1 & 2

Vs.

1.State through the Inspector of Police,
Jaihindhpuram Police Station,
Madurai District.
(In Crime No.527 of 2022)

... Respondent/
Respondent

2.Rajamohamed

... 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of FIR in Crime No.527 of 2022 on the file of the first respondent police and quash the same as far as the petitioner is concerned.

For Petitioners : Mr.RL Dhillip Pandian

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)
for R1



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ORDER

This petition has been filed to call for the records in Crime No. 527 of 2022 on the file of the Inspector of Police, Jaihindhapuram Police Station, Madurai and quash the same.

2. When the matter was taken up for hearing, the learned Government Advocate appearing on behalf of the respondent police, on instructions, submitted that the investigation has been completed and the police report has already been filed before the Judicial Magistrate IV, Madurai on 15.06.2023. However, the same is yet to be taken on file.

3. Taking into consideration the facts and circumstances of the case and also the fact that this quash petition was filed only on the premise that there is a compromise between the petitioners and the second respondent and till date no compromise has sailed through and since the final report has already been filed, this Court is not inclined to quash the FIR.



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4.Ultimately, if the final report is acted upon and the petitioners are aggrieved by the same, it is left open to the petitioners to challenge the proceedings in the manner known to law, if so advised.

5.This criminal original petition is disposed of accordingly.
Consequently, connected criminal miscellaneous petition is closed.

04.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PKN

To

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

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N.ANAND VENKATESH,J.

PKN

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