



Crl.O.P(MD)No.2092 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.2092 of 2025

and

Crl.M.P(MD)No.1411 of 2025

1.Sachin

2.Stalin @ Prabhu

3.Saran

4.Arasu

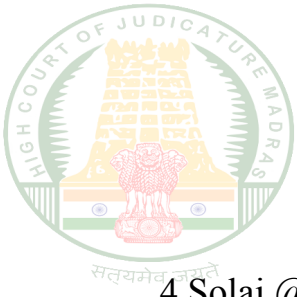
... Petitioners

Vs.

1.The State of Tamil Nadu,
Represented by
The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
(In Crime No.19 of 2024)

2.Rajavel,
The Sub Inspector of Police,
Singampunari Police Station,
Sivagangai District.

3.Vallarasu



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4.Solai @ Solaimalai
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5.Pandi

6.Ajith @ Kozhi Ajith

7.Ganapathy @ Pettai

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S Act, 2023 to call for the records in FIR No.19 of 2024 on the file of the first respondent police and quash the same as arbitrary and illegal in so far as the petitioners / accused No.5 to 8 / B party is concerned and pass such further or other orders as this Court.

For Petitioner : Mr.S.Ananthamurugan

For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed by the petitioner to call for the records in FIR No.19 of 2024 on the file of the first respondent police and quash the same as arbitrary and illegal in so far as the petitioners / accused No. 5 to 8 / B party is concerned.



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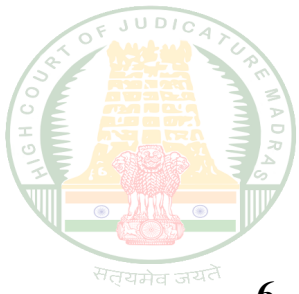
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2. Considering the nature of this petition, notice to the respondents 2 to 7 is dispense with.

3. The learned Counsel appearing for the petitioner would submit that the respondent police registered a false case against the petitioner under Section 160 of IPC in Crime No.19 of 2024. Even as per the FIR, no materials to attract the offence under Section 160 IPC and the alleged date of occurrence is 18.01.2024 and so far the police have not filed any final report and the case is barred by limitation. Therefore, pending FIR is abuse of process of law and the same is liable to be quashed.

4. The learned Additional Public Prosecutor appearing for the official respondent would submit that already they have completed the investigation. Final report is ready and they will file a final report within one week. Therefore, he prayed to dismiss the petition.

5. Heard the learned Counsels on either saide and perused the materials available on record.



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6. This is the petition filed by the petitioner to quash the FIR on the ground that there are no materials to attract the offence under Section 160 IPC. Therefore, the FIR has to be quashed.

7. This Court perused the entire records and already investigation completed, the final report is also ready and the respondent has to file final report. Therefore, without going into the merits of the case, the respondent is directed to file a final report within a period of 15 days from the date of receipt of a copy of this order and the petitioner is at liberty to challenge the final report, if it is adverse to the petitioner. As far as the period of limitation is concerned, it is for the Trial Court to decide the same in accordance with law.

6. With the above said direction, this Criminal Original Petition stands dismissed. Consequently, connected Miscellaneous Petition stands closed.

03.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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- 1.The Inspector of Police,
The State of Tamil Nadu,
Singampunari Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

BTR

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