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Court : Chennai Madurai

Decided On : Mar-31-2016

Judge : P.N. Prakash

Appeal No. : Crl.O.P.(MD) No. 5530 of 2016

Appellant : Pradeep Kumar and Others

Respondent : State rep. by The Inspector of Police, Trichirappalli and Another

Judgement :

(Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records relating to the impugned FIR in Crime No.78 of 2016 on the file of the 1st respondent police and quash the same.)

1. This petition has been filed, seeking to call for the records relating to the impugned FIR in Crime No.78 of 2016 on the file of the 1st respondent police and quash the same.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. On reading of the complaint, there are prima facie materials for the investigation to progress.

4. Learned counsel for the petitioners submitted that a suit in O.S.No.451 of 2012 has been filed by A.Pari Ahamed (A5) against the defacto complainant and the same is pending on the file of the District Munsif Court, Trichirappalli.

5. The Investigating Officer is directed to take those factors into consideration and proceed with the investigation in accordance with law. During the course of investigation, if it is found that there is no offence made out, it is needless to say that the FIR may be closed as mistake of fact.

With the above observation, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

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