



CrI.O.P.(MD)No.7037 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 12/06/2023

CORAM

The Hon'ble Mr.Justice **G.ILANGO VAN**

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- 1.Balamurugan
- 2.Kesavan
- 3.Vijayan
- 4.Vijayakumar
- 5.Narayanan
- 6.Jeyaraman
- 7.Manikandan @ Manikanda Prabu
- 8.Sivakumar
- 9.Rajasekar
- 10.Balu
- 11.Arumugam
- 12.Matchakalai
- 13.Malaiyan
- 14.Kumar
- 15.Thavaraja
- 16.Veera Manikandan
- 17.Sathishkumar @ Sathishkannan
- 18.Balasanthar @ Balachandran
- 19.Veera Ganabathy @ Ganabathy
- 20.Ramachandran
- 21.Prabu @ Prabakaran
- 22.Manimaran
- 23.Manickaraja
- 24.Ramachandran
- 25.Mahendran
- 26.Palanichamy
- 27.Vettaikaran
- 28.Pandiselvi
- 29.Murugeswari
- 30.Latha
- 31.Easwari
- 32.Pappu
- 33.Vellaiammal
- 34.Pitchaiammal
- 35.Karuppayee
- 36.Annal
- 37.Panchavarnam
- 38.Alagunatchi @ Arianatchi
- 39.Maheswari
- 40.Panju



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41.Muthupillai
42.Meena

: Petitioners/A1 to A11,
A13, A16 to A26, A28,
A30 to A47

Vs.

1.The State: Represented
by its Inspector of Police,
Silaiman Police Station,
Madurai.

(Crime No.134 of 2012)

: R1/Complainant

2.Jeyamani

: R2/De-facto Complainant

PRAYER:- Criminal Original Petition has been filed under section 482 of the Criminal Procedure Code, to call for the records in PRC No.8 of 2015 on the file of the Judicial Magistrate/Additional Mahila Court, Madurai and to quash the same and pass such further or other orders.

For Petitioners : Mr.V.Karuna

For 1st Respondent : Mr.R.Suresh Kumar
Government Advocate
(Criminal side)

O R D E R

This criminal original petition has been filed seeking quashment of the PRC No.8 of 2015 on the file of the Judicial Magistrate/Additional Mahila Court, Madurai.

2.The case of the prosecution is that due to worshipping dispute in the temple, two parties belongs to the same community fought with each other, in which, both parties injured. This case has been registered in Crime



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No.134 of 2022 for the offences under sections 147, 148, 324, 341, 294(b), 307 IPC and section 4 of the TNPHW Act against these petitioners and others. After completing the investigation, final report was filed and it was taken cognizance in PRC No.8 of 2015 by the Judicial Magistrate/Additional Mahala Court, Madurai.

3. Seeking quashment of the same, this petition has been filed by the petitioners on the ground that it is a case and counter; on the basis of the complaint given by one of the victim, a case in Crime No.135 of 2012 against the de-facto complainant's party for the offences under sections 147, 148, 324, 341, 294(b) and 307 IPC and section 4 of TNPHW Act and it was taken cognizance in PRC No.9 of 2015 by the Judicial Magistrate/Additional Mahila Court, Madurai and that was quashed by this court in Crl.OP(MD)No.4368 of 2020, dated 16/03/2020.

4. Heard both sides.

5. Even though there is no representation for the 2nd respondent, the learned Government Advocate (Criminal side) would submit that it is a case and counter and the counter party filed petition seeking quashment of the criminal prosecution initiated against them in



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Crl.OP (MD)No.4368 of 2000 and that was allowed, on
16/03/2020.

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6.In view of the compromise that has been reached in the counter case namely Crl.OP(MD)No.4368 of 2020, dated 16/03/2020, the very same benefit can be extended to the petitioners also, who is stated to be the accused in the complaint given by the second respondent herein.

7.In view of that, this criminal original petition stands allowed. The impugned PRC No.8 of 2015 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai is hereby quashed as against the petitioners.

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Index:Yes/No
Internet:Yes/No

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To,

- 1.The Judicial Magistrate,
Additional Mahila Court,
Madurai.
- 2.The Inspector of Police,
Silaiman Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J

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