

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.9327 of 2015

and

M.P.No.1 of 2015

1.Manikandan
2.Balachandran
3.Arumugam
4.Ilayaraja

... Petitioners

Vs

1. State rep., by Inspector of Police
Erumapatti Police Station,
Namakkal District.

2. Chandra

...

Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.235 of 2011 on the file of the Inspector of Police, Erumapatti Police Station, Namakkal District and quash the same.

For Petitioners :Mr.E.P.Senniyangiri

For Respondents :Mr.C.Emalias

No.1

Addl. Public Prosecutor

ORDER

The Criminal Original petition has been filed to call for the records in Crime No.235 of 2011 on the file of the Inspector of Police, Erumapatti Police Station, Namakkal District and quash the same.

2. On a complaint lodged by one Chandra, the respondent police have registered a case in Crime No.235 of 2011 on 02.05.2011 for offence under Sections 294(b), 323, 324 & 506 (ii) I.P.C against the petitioners herein.

3. The learned counsel appearing for the petitioners submitted that on a complaint lodged by one Ilaindiran, the respondent police have registered another case in Crime No.236 of 2011 on 02.05.2011 for offences under Sections 294(b), 323, 324 and 506(ii) I.P.C.

4. On reading of the FIR in Crime No.235 of 2011, it is seen that the accused had assaulted the defacto-complainant and also abused her. Thus, there are sufficient materials for the investigation to proceed. It is the submission of the learned counsel appearing for the petitioners that the FIR in Crime No.235 of 2011 is a counter blast to the case in Crime No.236 of 2011. The FIR cannot be quashed on the ground that another case has been registered in Crime No.236 of 2011. Under such circumstances, this Court directs the respondent police to conduct the investigation expeditiously in Crime Nos.235 of 2011 and 236 of 2011 and take action in accordance with law.

With the above direction, this petition is dismissed. Consequently, connected miscellaneous petition is closed.

sms

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police
Erumpatti Police Station,
Namakkal District.
2. The Public Prosecutor,
High Court, Madras.

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