



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2015

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)No.21490 of 2015

and

M.P.(MD).No.1 of 2015

1. Veeramani
2. Sundaram
3. Sundara Pandiyan
4. Pappan

... Petitioners

Vs.

1. The Inspector of Police,
Bala Viduthi Police Station,
Karur.

2. Mr.Pandian

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to call for the records pertaining to the case in Crime No.160 of 2012 for the offences under Sections 366, 323, 324 and 506(ii) of I.P.C., pending on the file of the first respondent police and quash the same.

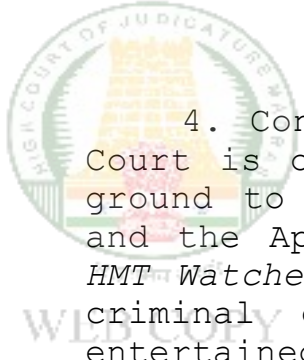
For Petitioners	:	Mr.V.A.Samaya Vasu
For R1	:	Mrs.S.Prabha
		Govt. Advocate (Crl. side)

O R D E R

The petitioners have come forward with this petition seeking to quash the F.I.R., in Crime No.160 of 2012 on the file of the first respondent police.

2. The case of the petitioners is that due to previous enmity, the de-facto complainant gave a complaint against the petitioners stating that they attacked the de-facto complainant and hence, a case has been registered in Crime No.160 of 2012 for the offences under Sections 366, 323, 324 and 506(ii) of I.P.C. It is further stated that there is a counter case against the second respondent in Crime No.159 of 2012 for the offences under Sections 294(b) and 324 of I.P.C. and that there is no iota of evidence against the petitioners to hold the petitioners' guilty of the offences.

<https://hcservices.courts.gov.in/hcservices/> The learned counsel for the petitioners and the Government Advocate (Crl.side) appearing for the first respondent.



4. Considering the facts and circumstances of the case, this Court is of the view that the petitioners have not made out any ground to grant the relief sought against the second respondent and the Apex Court, in a decision reported in (2015(2) CTC 446) *HMT Watches Ltd., Vs. M.A.Abida & Another*, held that quashing of criminal complaint on disputed question of facts cannot be entertained and it is a matter for trial to proceed with the criminal complaint. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

akv

To

1.The Inspector of Police,
Bala Viduthi Police Station,
Karur.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

GJM/GSV/AN/16.12.2015-2P-3C

Cr1.O.P.(MD)No.21490 of 2015
16.11.2015