



WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 19.12.2015**

**CORAM**

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN**

**Cr1.O.P. (MD)No.24026 of 2015**

**and**

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

P.Perumal

... Petitioner

-Vs-

1.The State rep.by

The Inspector of Police,  
Pudukottai Police Station,  
Thoothukudi District.

2.G.Perumal

... Respondents

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with the impugned FIR in Crime No.269 of 2015 on the file of the Inspector of Police, Pudukottai Police Station, Thoothukudi District and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.G.Thalaimutharasu

For Respondent-1 : Ms.S.Prabha

Govt.Advocate

**O R D E R**

This petitioner has come forward with this application, seeking to quash the proceedings in Crime No.269 of 2015, on the file of the Inspector of Police, Pudukottai Police Station, Thoothukudi District

2. I have heard the counsel appearing on either side and perused the materials available on record.

3. It is seen from the records that a case in Crime No.269 of 2015 has been registered against the petitioner, for the offences under Sections 147, 148, 324, 307 and 379 of IPC. A glance at the FIR makes it very clear that there was a clash and assault and that there is a disputed question of fact.

4. In view of the Judgment of the Hon'ble Supreme Court in **HMT Watches Ltd., Vs. M.A.Abida & Another** reported in **(2015(2) CTC 446)** wherein, it has been 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 complaints, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also dismissed.

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Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,  
Pudukottai Police Station,  
Thoothukudi District.

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

+1cc to Mr.G.Thalaimutharasu, Advocate Sr.No. 75904  
mpk  
AA/SKS-RR/05.01.2016/2p-4c

**Crl.O.P. (MD) No.24026 of 2015**  
**19.12.2015**