

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.11286 of 2016

and

CrI.M.P.No.5781 of 2016

1.Rajamanickam
2.Selvaraj
3.Murugan
4.Elumalai
5.Raman
6.Mahindran
7.Manickam
8.Pachiyamuthu
9.Kannan
10.Krishnamoorthy
11.Pichayakaran
12.Sivaraman
13.Elumalai
14.Karuppan
15.Arumugam
16.Chinnaponnu
17.Rakumani
18.Kullammal
19.Marimuthu
20.Vijaya
21.Minugapattu
22.Kuppu
23.Selvi

... Petitioners

Vs.

1.State through
The Inspector of Police,
Thiyagadurgam Police Station,
Villupuram District.
(Crime No.170/2016)

2.Krishnamoorthy

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records pertaining to FIR in Crime No.170 of 2016 dated 26.04.2016 on the file of the 1st respondent and quash the same as illegal.

For Petitioners :: Mr.S.Mohamed Ansar

For Respondent [R1] :: Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to quash the FIR in Crime No.170 of 2016 dated 26.04.2016 on the file of the first respondent.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

3. On a complaint lodged by one Krishnamoorthy, the respondent-Police have registered a case in Crime No.170 of 2017 dated 26.04.2016 for offences under Sections 147, 294(b) and 506(ii) I.P.C., against the 23 accused. The crux of the allegation of the defacto-complainant is that these petitioners had formed into an unlawful assembly, and on 05.04.2016 they trespassed into the land of the defacto-complainant and started destroying the property.

4. The learned Additional Public Prosecutor submits that the accused A1 and A2 have been arrested and these petitioners have been granted Anticipatory Bail. Since there are prima facie materials in the FIR, the same cannot be quashed. However, during the course of investigation, if it is found that these petitioners were not involved in the offence, it is needless to state that they should be excluded in the final report.

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

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

ds

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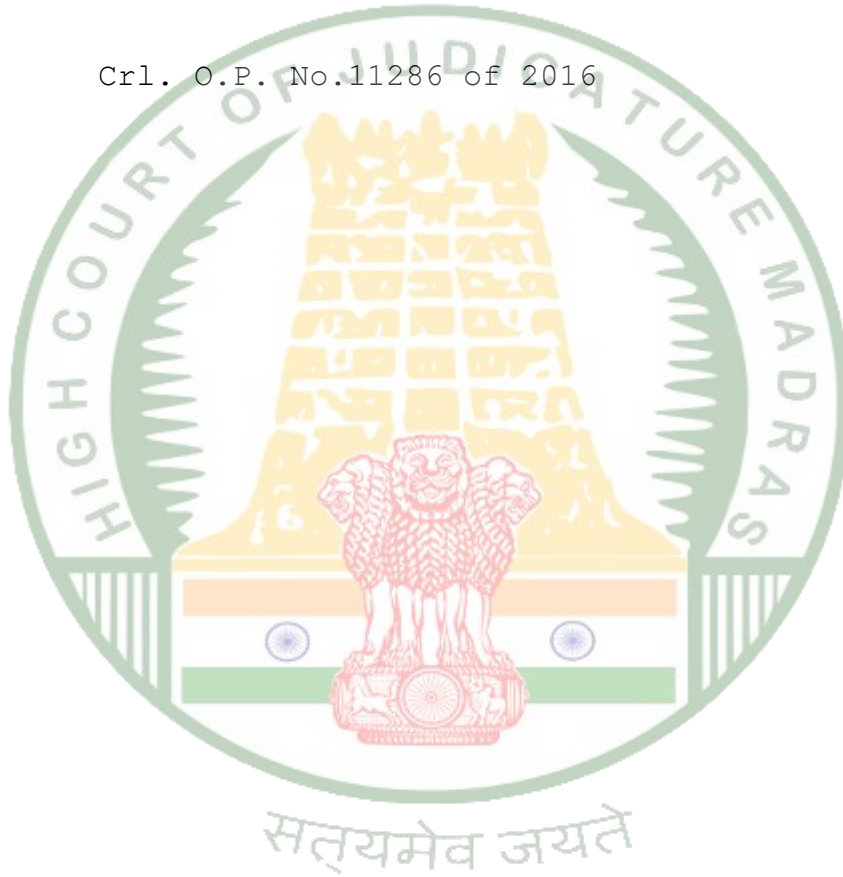
1.The Inspector of Police,
Thiyagadurgam Police Station,
Villupuram District..

2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr. S.Mohamed Ansar, Advocate, Sr. 31780

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LRS (CO)
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