

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.13182 of 2016

and Crl.MP.No.6781 of 2016

1.Abusalih
2.Jafar
3.Raja Rahimullah @ Abdul Rahimullah
4.Mohamed Ibrahim
5.Iliyas
6.Yasin
7.Mohamed Syed
8.Jamal Khan
9.Abdul Kadhar
10.Akbar Ali ... Petitioners

Vs

1.State by Inspector of Police,
Nellikuppam Police Station,
Cuddalore District.
2.Sowgat Ali ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Cr.No.290 of 2016 on the file of the first respondent and quash the same.

For Petitioners : Mr.V.Jeevagiridharan
For Respondent [R1] : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.290 of 2016 on the file of the respondent-Police.

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

3. It is seen that on the complaint given by one Mohamed Ibrahim (A4 in Crime No.290/2016), the respondent-Police have registered a case in Crime No.289 of 2016 for the offences under Sections 147, 506(i), 427, 448, 294(b), 352 IPC against six persons. On the complaint given by one Sowgath Ali, who is A3 in Crime No.289 of 2016, the respondent-Police registered a counter case in Crime No.290 of 2016 against the petitioners herein, challenging which, the petitioners are before this Court.

4. On a reading of the FIR, it appears to be a dispute between the members of two Jamaaths, with regard to burial of dead bodies. In a case of this nature, when there is a likelihood of group clash, it will serve the interest of justice, if the Deputy Superintendent of Police, Cuddalore District, is directed to conduct the investigation in Crime Nos.289 & 290 of 2016 and take action in accordance with law.

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

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police
Nellikuppam Police Station
Cuddalore District

2.The Deputy Superintendent of Police
Cuddalore District

3.The Public Prosecutor
High Court Madras

+1 cc to Mr.V.Jeevagiridharan Advocate sr.35050

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