

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 18.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition No.15865 of 2016

and

M.P.No.7763 of 2016

1.M.Rajkumar
2.K.Porchelvi
3.R.Poonguzhali ... Petitioners

-Versus-

1.The State Rep. by
Inspector of Police,
Karumlaikudal Police Station,
Salem District.
2.Ganesan ... Respondents

Prayer: This petition is filed under Section 482 Cr.P.C. praying to call for the records in Crime No.181 of 2016 on the file of the 1st respondent and to quash the case.

For Petitioners : Mr.I.Paul Noble Devakumar

For Respondents : Mr.C.Emalias, APP for R1

ORDER

This original petition has been filed seeking to quash the case in Crime No.181 of 2016 pending on the file of the 1st respondent police.

2. On the complaint lodged by Porselvi, the 1st respondent police have registered a case in Crime No.180 of 2016 on 18.06.2016 for offences under Sections 323, 324, 448 and 506(ii) of IPC against (1)Ganeshan [A1], (2)Selvi [A2], and (3)Govinthammal [A3]. Similarly, on the complaint lodged by Ganeshan, the 1st respondent police have registered a case in Crime No.181 of 2016 on 25.06.2016 for offences under Sections 294(b), 323 and 324 of IPC against the petitioners herein (1) Rajakumar [A1], (2) Porselvi [A2] and another Poongulali [A3] challenging which they are now before the present petition.

3. The learned counsel for the petitioners submitted that the accused in Crime No.181 of 2016 were the victims in Crime No.180 of 2016 and that they sustained grievous injuries inasmuch as they were taken to the hospital and admitted as inpatient and they had taken treatment for 21 days.

4. Per contra, the learned Additional Public Prosecutor, on instructions from Mr.D.Senthilkumar, Sub Inspector of Police, Karumalaikudal Police Station, Salem District, who is present in court, submitted that the Porselvei also sustained grievous injuries in the incident and that she had also undergone treatment in the Government Hospital. Thus, both the parties fought with each other.

5. The learned Additional Public Prosecutor further submitted that investigation in Crime No.180 of 2016 has been completed and final report has also been made ready for filing before the jurisdictional court.

6. In the considered opinion of this court, since there are prima facie materials in the case in Crime No.181 of 2016, the same cannot be quashed at its threshold by invoking the inherent power of this court under Section 482 of Cr.P.C. The 1st respondent police is, however, directed to expedite the investigation and on completion of investigation, either file final report or closure report as the case may be as expeditiously as possible.

7. With the above directions the criminal original petition is disposed of. Consequently, connected MP is closed.

Sd/
सतयमेव जयते
Assistant Registrar
/True copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Karumlaikudal Police Station, Salem District.

2 The Additonal Public Prosecutor, High court, Chennai.

+1cc to I.Pau Noble Deva Kumar, Advocate SR.No.67437

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SDR 29.12.2016