



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP(MD) No.5815 of 2016

and

Crl.M.P. (MD) No.2884 of 2016

M.Antony Thomas Milton ..Petitioner/Accused

Vs

1.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
Crime No.64/2016

.. Respondent /Complainant

2.Mohan Prabhu .. Respondent /Defacto complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.64 of 2016 on the file of the Kottar Police Station, Kanyakumari and to quash the same.

For Petitioner : Mr.S.C.Herold Singh

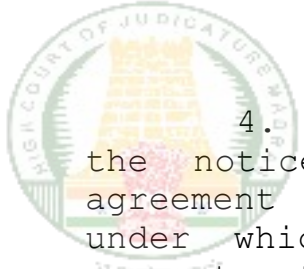
For Respondents : Mrs.S.Prabha
Government Advocate(Crl.Side)
for R.1

O R D E R

This petition has been filed to call for the records in Crime No.64 of 2016 on the file of the Kottar Police Station, Kanyakumari and to quash the same.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. It is seen that the respondent police have registered a case in Cr.No.64 of 2016 on 28.01.2016 for offences under Sections 147, 148, 294(b), 506(ii) I.P.C. and Sections 3 and 4 of TNPPDC Act. All the accused have been released on anticipatory bail and the petitioner, who has been arrayed as A.1, has also been released on anticipatory bail.



4. The learned Counsel for the petitioner has brought to the notice of this Court that on 30.12.2015, a compromise agreement appears to have been arrived at between the villagers under which the church in question was to be repaired and reconstructed. Only based on that, the petitioner and others who are members of the church Committee were taking steps for demolishing the church for the purpose of reconstruction.

5. In view of the above, the respondent police is directed to take into consideration all these aspects during the course of investigation and drop the case against the petitioners if it is found that the petitioners had acted within the ambit of law.

6. With the above observations, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar/

To

1. The Inspector of Police,
Kottar Police Station,
Kanyakumari District.

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

+1cc Mr.C.Herold Singh Advocate in SR.19229

SDR:AAL-MPA-RR/18.04.2016:2p/4c

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