

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2017

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

CRL.OP.NOS.27433/2015 & 7822/2017
& CRL.MP.No. 5649/2017

Uthirapathy

..Petitioner in
Crl OP.No.27433/2015

1.Rajangam

2.Palanivel Rajan

..Petitioners/
in Crl OP No.7822/2017

-Vs-

1.State rep.by
The Inspector of Police,
T-10, Mangadu Police Station,
Greater Chennai,
Crime No.546/2015

2.R.Palanivel Rajan,

.. Respondents
in Crl OP.No.27433/2015

1.State rep.by
The Inspector of Police,
T-14, Mangadu Police Station,
Mangadu, Chennai-600 022.
Crime No.1008/2014

2.Uthirapathy

.. Respondents
in Crl OP.No.7822/2017

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of Criminal Procedure Code to call for the records relating to C.C.No.350/2015 & 76/2015 pending on the file of the Learned District Munsif-Cum-Judicial Magistrate, Sriperumbudur, Kancheepuram District and quash the same and allow.

For Petitioner in
Crl. O.P. No.27433 of 2015 : Mr.M.Deivanandam

For Petitioner in : Mr.S.C.Prabakaran
Crl. O.P. No.7822 of 2017

For Respondents : Mr.M.Mohammed Riyaz,
Government Advocate (Crl side)
for R1

ORDER

This is a case of case and counter.

2. At the instance of the petitioner in Criminal O.P. No.27433 of 2015, case in Crime No.10008 of 2014 for offences u/s. 294 B, 427 and 506 (ii) IPC has been registered on 13.09.2014. Pursuant to investigation a charge sheet informing commission of such offences has been filed and the case is pending trial in C.C.No.76 of 2015 on the file of learned District Munsif-Cum-Judicial Magistrate, Sriperumbudur, Kancheepuram District.

3. At the instance of the petitioner in Crl.O.P.No.7822 of 2017 case in Crime No.546 of 2015 has been registered for offences u/s. 294 B and 506 (ii) IPC. Pursuant to investigation charge sheet informing commission of offences has been filed and case relating there to is pending in C.C.No.350 of 2015 on the file of learned District Munsif-Cum-Judicial Magistrate, Sriperumbudur, Kancheepuram District.

4. Both cases arise out of arguments between petitioners who are neighbours. Their dispute arose over construction of a compound wall. The dispute is trivial in nature. No useful purpose will be served by requiring either party to face the rigour of trial.

For the aforesaid reason, proceedings in C.C.Nos.76 and 350 of 2015 on the file of learned District Munsif-Cum-Judicial Magistrate, Sriperumbudur, Kancheepuram District are quashed. Accordingly, both Criminal Original Petitions are allowed.

21.04.2017

Index : Yes/No
Internet: yes/No
Speaking Order/Non Speaking Order

vsi 2

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C.T.SELVAM., J.

vsi 2/kpr

To

1.The District Judicial Magistrate,
Sriperumbudur.

2.The Inspector of Police,
T-10, Mangadu Police Station,
Greater Chennai.

3.The Inspector of Police,
T-14, Mangadu Police Station,
Mangadu, Chennai-600 022.

4.The Public Prosecutor,
High Court, Madras.



CRL.OP.NOs.27433/2015
& 7822/2017
& CRL.MP.No. 5649/2017

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