



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD) No.15480 of 2017

and

CRL.M.P.(MD) No.10288 and 10289 of 2017

1.Devaki

2.Suresh @ Sureshkumar

3.Dhanushlass

... Petitioners/Accused Nos.1 to 3

Vs.

Ramana

... Respondent/Complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to C.C.No.242 of 2015 on the file of the learned Principal District Munsif cum Judicial Magistrate, Karaikudi and to quash the same.

For Petitioners : Mr.V.Karuna

ORDER

The Criminal Original Petition is filed to call for the records pertaining to C.C.No.242 of 2015 on the file of the learned Principal District Munsif cum Judicial Magistrate, Karaikudi and to quash the same.

2.The petitioners are Accused Nos.1 to 3 and they are police officers, working in Alagappapuram Police Station, Karaikudi, Sivagangai District earlier. A private complaint has been preferred by the de-facto complainant as against the petitioners herein and the same was registered in Crime No.21 of 2015, for the offences punishable under Sections 294(b), 324 and 506(ii) IPC.

3.The petitioners themselves admitted that the prosecution has obtained the sanction, which is required under Section 200 of Cr.P.C. However, the grievance of the petitioners is that the de-facto complainant has preferred the private complaint under Section 200 of Cr.P.C., before the learned Principal District Munsif cum Judicial Magistrate, Karaikudi, out of personal vengeance and that the complaint is a false one. It is further stated that at the time of occurrence, the petitioners are working in Alagappapuram Police Station, Karaikudi, Sivagangai District and they are now transferred



to some other place.

4.It is stated that the petitioners are facing prejudice and inconvenience. Except, stating that the allegations in the private complaint are false and the complaint was lodged due to personal vengeance, no other legal ground is raised by the petitioners, to quash the private complaint.

5.Truth or otherwise in the allegations, is a matter for evidence and this Court will not decide contentious issues by going into the disputed questions of fact, at this stage. Hence, the Criminal Original Petition is dismissed. However, it is open to the petitioners to raise all their submissions at the time of trial or at the appropriate time. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

The Principal District Munsif cum Judicial Magistrate,
Karaikudi.

+ 1 CC TO Mr.V.KARUNA, ADVOCATE IN SR No. 87627

CMR

TE/JC/SAR-2 : 29/11/2017 : 2P/3C

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