



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CrI.O.P.(MD).No.8438 of 2017
and
CrI.M.P.(MD).No.5697 of 2017

1.K.Naveen Kumar
2.K.Sachin
3.K.V.Kasinathan
4.O.Naveen
5.O.Sridhar

.. Petitioners/Accused Nos.10,31,41,55
and 56

Vs.

1. State rep. by
The Inspector of Police,
Kadupatti Police Station,
Madurai.
(In Crime No.10 of 2016)

.. 1st Respondent/Complainant

2. M.Pandiarajan

.. 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in pertaining to the First Information Report in Crime No.10 of 2016, dated 17.01.2016 on the file of the respondent No.1 for the offences under Sections 147, 148, 323, 427, 506(ii) of IPC., read with 3(1)(x) of SC/ST Act and quash the same as illegal as against these petitioners.

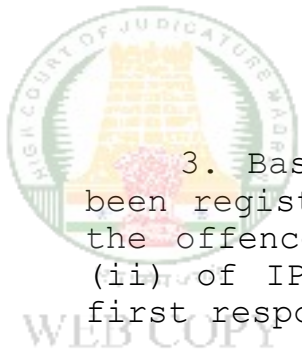
For Petitioners : Mr.T.Lajapathi Roy
For R1 : Mr.K.Anbarasan
Government Advocate (Criminal side)

ORDER

This petition is filed seeking to quash the First Information Report in Crime No.10 of 2016, dated 17.01.2016, on the file of the respondent No.1 for the offences under Sections 147, 148, 323, 427, 506(ii) of IPC., read with Section 3(1)(x) of SC/ST Act and quash the same as illegal as against these petitioners.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned counsel for the petitioners and the learned Government Advocate (CrI. Side) for the first respondent.



3. Based on the complaint of the second respondent a case has been registered against the petitioners in Crime No.10 of 2016, for the offences punishable under Sections 147, 148, 323, 427 and 506 (ii) of IPC., read with 3(1)(x) of SC/ST Act, on the file of the first respondent.

4. Mr.T.Lajapathi Roy, learned counsel for the petitioner would submit that the petitioners are falsely roped in this case. Since the complaint is motivated, it is liable to be quashed.

5. The learned Government Advocate (Crl. Side), on instructions, would submit that after completion of investigation, charge sheet has already been filed on 12.09.2016. He further submitted that though the same was returned for some rectifications, it was represented on 05.07.2017 after complying the defects.

6. Recording the submission made by the learned Government Advocate (Crl. Side), the criminal original petition is **dismissed**. However, liberty is given to the petitioners to work out their remedy in the manner known to law. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Kadupatti Police Station,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 64346

PJL

TE/KP/SAR-I : 20/07/2017 : 2P/4C

Crl.O.P(MD)No.8438 of 2017 and
Crl.M.P.(MD).No.5697 of 2017
06.07.2017