



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Cr1.O.P.(MD) .No.8440 of 2017

and

Cr1.M.P.(MD) .No.5699 of 2017

WEB COPY

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

.. Petitioners/Accused Nos.
06,20,32,33 and 52

Vs.

1. State represented by
The Inspector of Police,
Kaadupatti Police Station,
Madurai.
(In Crime No.13 of 2016)

.. Respondent/Complainant

2. V.Jeya kumar

.. Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records pertaining to the First Information Report in Crime No.13 of 2016, dated 17.01.2016 on the file of the respondent No.1 for the offences under Sections 147, 436, 307 of IPC and Section 3 of TNPPDL Act and Section 3 (2) (v) of SC/ST Act and against the petitioners, 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 call for the records pertaining to the First Information Report in Crime No.13 of 2016, dated 17.01.2016, on the file of the first respondent for the offences under Sections 147, 436, 307 of IPC and 3 of TNPPDL Act and 3 (2) (v) of SC/ST Act, and quash the same as illegal as against these petitioners.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1. 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.13 of 2016, for the offences punishable under Sections 147, 436, 307 of IPC., and Section 3 of TNPPDL Act and Section 3 (2) (v) of SC/ST Act, on the file of the first respondent.

4. Mr.T.Lajapathi Roy, learned counsel for the petitioners 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

/True Copy/

Sub Assistant Registrar

To

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

DAS/PJL

VB/SV/SAR3/18.07.2017/2P/3C

Crl.O.P. (MD) .No.8440 of 2017

06.07.2017