



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.14590 of 2018

and

Crl.M.P(MD) No.6514 of 2018

1. Kannusamy
2. Karupasamy
3. Gopinath
4. Sabarinath

..Petitioners/Accused No.1 to 4

Vs.

The State rep by

1. The Inspector of Police
Palaviduthi Police Station
Karur District
(Crime No. 98 of 2018)

..1st Respondent/Complainant

2. Pitchaimani

..2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the case in Crime No.98 of 2018 on the file of the first respondent police and quash the same.

For Petitioners	: Mr.B.Jameel Arasu
For Respondent	: Mrs.S.Bharathi
No.1	Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the First Information Report registered in Crime No.98 of 2018.

2. The learned counsel for the petitioners made the following submissions :

"a) There is already pending civil dispute between the parties and therefore the present First Information Report is an abuse of process of law.

b) The incident is said to have taken place on 01.07.2018 but the First Information Report came to be registered on 06.07.2018

c) The First Information Report is said to have been registered pursuant to the orders passed by this Court in Crl.O.P(MD) No.11415 of 2018, dated 09.07.2018, but, however before registration of the



First Information Report, no preliminary enquiry was conducted by the police.

d) The allegations in the First Information Report do not make out an offence"

3. This Court carefully considered the submissions made by the learned counsel for the petitioner. The first three grounds argued by the counsel for the petitioners is not a ground for quashing the First Information Report.

4. Insofar the allegations are concerned, on going through the First Information Report, prima facie materials is available for the respondent police to proceed against the petitioners and investigate the case.

5. This Court does not find any ground to quash the First Information Report at this stage. It is left to the petitioners to raise all these ground at appropriate stage.

6. In view of the above, this Criminal Original Petition is dismissed. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS-I)

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To

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

+1CC to M/S.B.Jameel Arasu, Advocate in SR No.79308

Cr1.O.P. [MD] .No.14590 of 2018
and
Cr1.M.P(MD) No.6514 of 2018

DS (NM) /RSK/SAR 1/24.09.18/2P/4C