



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
Crl.O.P. (MD) .No.17229 of 2018

and

Crl.M.P. (MD) No.7607 of 2018

1.Ramanathan
2.Karupaiah
3.Kaleeswaran
4.Kaliammal
5.Rani

...Petitioners

Vs.

1.The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(Crime No.154 of 2017)

2.Avudayapa Pillai

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records relating to the F.I.R., in Crime No.154 of 2017 dated 30.06.2017 on the file of the 1st respondent police and quash the same as illegal.

For Petitioner :Mr.M.Prabu

For 1st Respondent :Ms.S.Bharathi

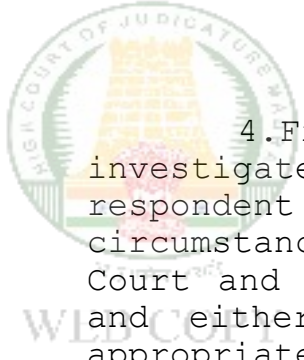
Government Advocate (Criminal Side)

O R D E R

This Criminal Original Petition has been filed seeking to quash the F.I.R., in Crime No.154 of 2017 against the petitioners herein for the offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) I.P.C.

2.The learned counsel for the petitioner would submit that the entire case is a false case given against the petitioners. He further submits that the petitioners herein have also given a complaint against the second respondent and others, which was registered by the very same police station in Crime No.155 of 2017.

3.The learned Government Advocate (Criminal Side) would submit that in the counter case registered in Crime No.155 of 2017, the police have already investigated the case and final report has been filed before the learned Judicial Magistrate, Thiruvadanai and the same has been taken on file in C.C.No.86 of 2017.



4. From the above facts it is clear that the same police has investigated both the case and counter case and in counter case, the respondent police have already filed a final report. Under such circumstances, this quash petition cannot be entertained by this Court and the respondent police has to investigate this case also and either file a closure report or final report before the appropriate court.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To

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

+ 1 CC TO Mr.M.PRABHU , ADVOCATE IN SR No. 87366.

DAS

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