

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.02.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5493 of 2018
and Crl.M.P.Nos.2693 & 2694 of 2018

1.Sundaramoorthi
2.Munusamy

... Petitioners

Vs.

State Represented by
The Inspector of Police,
Sankarapuram Police Station,
Villupuram District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in connection with S.C.No.6 of 2018 on the file of Principal District and Sessions Judge, Villupuram and to quash the same in respect of the Petitioners A2 and A3.

For Petitioners: Mr.D.Selvaraju
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to call for the records in connection with S.C.No.6 of 2018 on the file of Principal District and Sessions Judge Villupuram and to quash the same in respect of the Petitioners A2 and A3.

2. The learned counsel for the petitioners would submit that against the petitioners / A2 & A3 and others a case was registered by the respondent under Section 120(b), 302 r/w 109 I.P.C. for the reason all the accused persons conspired together and murdered one, Suseela. He further submits that the first petitioner purchased land from the brother of the husband of the deceased and thereafter there were some enmity between them. Further he submits that A1 obtained Rs.2 lakhs from the deceased and A1 delayed payment and on that reason also there were dispute between them, but as far as the petitioners are concerned they have been roped into this crime without any basis. Hence, they have filed this petition.

3. The learned Additional Public Prosecutor would submit there are specific allegations against these two petitioners. Further he submits that when the first petitioner was driving tractor in his land he also used the land of the deceased as

such there were already dispute between them, and also before three days of the murder there was a quarrel between the second petitioner and the deceased over building path between their lands. At that time, the first petitioner had uttered that the deceased had been a problem to them and as such she should be murdered, and in reply to the same, the second petitioner also uttered the same words. Hence, these allegations have to be investigated. As such he sought for dismissal of the petition.

4. It is seen that there are specific allegations against the petitioners that too the case has been registered under Section 302 I.P.C. Therefore, all the points raised by the petitioners have no merits to quash the entire proceedings in S.C.No.6 of 2018 on the file of the learned Principal District and Sessions Judge, Villupuram.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

pds/lok

To

1.The Inspector of Police,
Sankarapuram Police Station,
Villupuram District.

2.The learned Principal District and Sessions Judge,
Villupuram.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.D.Selvaraju, Advocate, S.R.No. 15447

Cr1.O.P.No.5493 of 2018
and Cr1.M.P.Nos.2693 & 2694 of 2018

BR(CO)
GN(18/03/2019)