



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDANPANI

Cr1.O.P. (MD)No.2047 of 2019

1.Periyasamy  
2.Kannan  
3.Karuppiyah  
4.Manivel  
5.Amudha  
6.Lakshmi  
7.Muthu

... Petitioners

Vs.

1.The State rep. by  
The Sub Inspector of Police,  
Uppliyapuram Police Station,  
Thuraiyur Taluk, Trichy District.

2.S.Subramani

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records and quash the F.I.R in Crime No.82 of 2010 on the file of the 1<sup>st</sup> respondent police.

For Petitioner : Mr.A.John Vincent

For Respondent : Mr.K.Suyambulinga Bharathi  
Government Advocate (Cr1.Side)

**ORDER**

This Criminal Original Petition has been filed to quash the First Information Report in Crime No. 82 of 2010 on the file of the first respondent police.

2. The petitioners were implicated for the offences under Section 147,148,294(b), 324, 323, 427 and 506(ii) of IPC, wherein the defacto complainant filed a complaint as if there was a dispute with regard to the pathway, in between the defacto complainant and the main accused persons. The allegation against the petitioners is that the petitioners came along with other persons attacked the defacto complainant, thereby he sustained injuries and filed a complaint before the respondent police.

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

3.The learned counsel for the petitioners would submit that the petitioners are A1 to A7 and they did not commit any offence as



alleged by the prosecution and there is no specific overt act against the petitioners. However the FIR was filed in the year 2010 and till date charge sheet is not filed.

4. The learned Government Advocate(Crl.Side) would submit Charge sheet is made ready and they are going to file the charge sheet within two weeks .

5. Considering the facts and circumstances of the case on bare perusal of the FIR discloses the cognizable offence against the petitioners and further in respect of quashing the First Information Report elaborately discussed by the Hon'ble apex Court in **State of Haryana and others vs. Bhajan Lal and others [1992 Supp. (1) SCC 335]**, this case does not fall in the parameter laid by the Hon'ble apex court, and no fresh materials are produced before this court.

6. Hence this Criminal Original petition is dismissed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar(CS )

To:

1.The Sub Inspector of Police,  
Uppliyapuram Police Station,  
Thuraiyur Taluk, Trichy District.

2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.A.JOHN VINCENT, Advocate SR-54675[F] dated 18/03/2019 )

Crl.O.P.(MD)No.2047 of 2019  
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SP/PK/04.04.2019 : 2P/4C