



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE. N. SESHASAYEE

Crl.O.P.[MD].No.3169 of 2019

and

Crl.M.P.[MD].No.1771 and 1772 of 2019

1.Arivukannan

2.Ramasamy

3.Andiammal @ Ananthi

4.Valakaliammal

5.Perumayee

: Petitioners

Vs.

1.The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
[Crime No.48 of 2013]

2.Rajeswari

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.157 of 2013 on the file of the learned Judicial Magistrate, Vedaasandoor, Dindigul District and quash the same.

For Petitioners : Mr.B.Jameel Arasu

For R-1 : Mr.A.P.G.Ohm Chirma Prabhu

Government Advocate (crl. side)

ORDER

This present petition is filed to quash the final report in C.C.No.157 of 2013 on the file of the learned Judicial Magistrate, Vedaasandoor, Dindigul District and quash the same.

2. As per the final report, the Investigating Agency appeared to have provided materials for framing charges against the petitioners for the offences under Sections 147, 294(b) and 506(i) IPC and Section 4 of the Tamil Nadu Women Harassment Act.

3. The learned counsel appearing for the petitioner submitted that the first petitioner's brother was murdered by a rival group and that case was converted into one of hit and run motor accident case, and the case was registered not under 302 IPC but under 304 (A) IPC. The petitioner moved this Court for transfer of investigation and to wreck vengeance, the second respondent and her men have foisted a false case against the present petitioner. He further submitted that the entire charge sheet does not



disclose the case involving murder of the first petitioner's brother.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side).

5. Irrespective of the motive angle now projected by the learned counsel for the petitioners, the charge sheet *per se* does disclose necessary materials to frame charge against the accused persons / petitioners. Whatever points that are now raised are to be raised during trial.

6. This Court does not find any merit in this petition and accordingly, this criminal original petition is dismissed. However, the petitioners 3 to 5 are dispensed with from appearing before the trial Court, unless the trial Court requires their presence, for this, notice to the counsel for the petitioners 3 to 5 would be deemed adequate. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.

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

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-51681[F] dated 05/03/2019)

sm

Crl.O.P.[MD].No.3169 of 2019
01.03.2019

KM/(28.03.2019) 2P 4C