



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.4227 of 2019

and

Crl.M.P.(MD)No.2544 of 2019

- 1.Sundarambal
- 2.Jeeva
- 3.M.Jeganathan

: Petitioners/Accused No.1 to 3
Vs.

- 1.State Represented by
The Inspector of Police,
Musiri Police Station, Trichy District.
(In Crime No.323 of 2018) : 1st Respondent / Complainant

- 2.Veeramani : 2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Cr.No.323 of 2018 on the file of the first respondent and quash the same as illegal.

For Petitioners : Mr.S.Muthukrishnan

For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)

ORDER

The present petition is filed to quash the FIR in Crime No.323 of 2018 registered for the offence under Sections 147, 148 and 294 (b), 324, 379 and 506(ii) IPC.

2. A plain reading of the FIR discloses that on 23.11.2018, while the defacto complainant and his brother were working in their field with a tractor, the accused persons/petitioners herein have arrived there along with few of their henchmen of fully armed, who had took forcible control of their Tractor, abused the petitioners and ran the tractor over the grand father of the complainant and held out threat.

3. The learned counsel for the petitioners submitted that on 28.09.2017, few months prior to the death of the defacto complainant's father Mthusamy, he himself had sold the Tractor to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondents submitted that investigation is underway.



5. Inasmuch as the FIR names the present petitioners and also discloses the commission of an offence attributing specific overt-act to each of the accused, this Court considers it premature to interfere with the FIR and holds that the allegation made in the FIR must be taken to its logical conclusion. If however the petitioners have any material to share to guide the investigation in the right direction, they are free to work out their strategy and then share the same to the Investigation Agency.

6. Subject to above observation, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P & A)

// True Copy //

Sub Assistant Registrar (CS)

rmi/ta

To

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

+1CC TO MR.S.MUTHUKRISHNAN, Advocate Sr. No. 56671

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TR (26.04.2019) 2P 4C