



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2019

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.6623 of 2019

and

Cr1.M.P. (MD) .No.4426 of 2019

1.Frankline
2.Noble
3.Selvan
4.Jeya Singh
5.Chelladurai
6.Rabi

: Petitioners/Accused 1 to 6

Vs.

1. State represented by,
The Inspector of Police,
Keeripara Police Station,
Kannyakumari District.
(Crime No.12 of 2009)

: 1st Respondent/Complainant

2. Suyambu

: Respondent/Defacto
Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to call for the records in Crime No.12 of 2019, on the file of the first respondent Police and quash the same.

For Petitioners : Mr.T.A.Ebenezer
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1. side)
For R-2 : No Appearance

ORDER

This Criminal Original Petition has been filed to quash the Criminal proceedings in Crime No.12 of 2019, on the file of the first respondent Police.

2.The petitioners herein are accused Nos.1 to 6. The grievance of the petitioners is that based on the complaint given by the second respondent against the petitioners, the first respondent registered a First Information Report in Crime No.12 of 2019 for the offences under Sections 147, 294(b), 323 and 506 (1) of the Indian Penal Code. To quash the same, the present petition has been filed.



3.Today, when the matter was taken up for hearing, the learned Government Advocate (Crl. side) appearing for the first respondent submitted that already the investigation in this case is over and final report has also been filed before the learned Judicial Magistrate concerned and the learned Judicial Magistrate has also taken cognizance of the offence, in C.C.No.280 of 2018 and now the matter is pending for trial.

4.Considering the facts and circumstances of the case and also considering the fact that the matter is pending for trial, at this stage, the First Information Report cannot be quashed. If at all the petitioners are having any grievance, it is open to them to take appropriate remedy in the manner known to law.

5.Accordingly, the Criminal Original Petition stands dismissed. Consequently the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

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

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-73578[F] dated 05/07/2019)

Order made in
CRL.O.P. (MD) .No.6623 of 2019
Dated:03.07.2019

TSG

MK (24.07.2019) 2P 4C