

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATE: 13.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**Crl.O.P.(MD).No.8142 of 2019****and****Crl.M.P.(MD).No.5064 of 2019**

WEB COPY

- 1.Murugan @ Duraimurugan
- 2.Poolpandi
- 3.Ayyasamy @ Autoraj
- 4.Palpandi

... Petitioners

-Vs-

- 1.State represented by
the Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
(Crime No.367 of 2018)

- 2.Arumugam

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the FIR in Crime No.367 of 2018 dated 13.12.2018 on the file of the first respondent Police and quash the same so far as the petitioners concern as illegal.

For Petitioners	:	Mr.M.Nallamuthu
For R1	:	Mr.K.Suyambulinga Bharathi Government Advocate (Crl.side)

ORDER

This petition has been filed seeking to quash the F.I.R in Crime No.367 of 2018 on the file of the first respondent Police as against the petitioners.

2. The petitioners are the accused Nos.1 to 4 in Crime No.367 of 2018 on the file of the first respondent police. The first respondent police registered the above crime for the offences under Sections 147, 447, 294(b), 506(ii) of I.P.C. and Section 3(1) of Prevention of Damage to Public Property Act, 1984. The complaint has been given by the second respondent on the ground that they are installing a Wind Mill after obtaining necessary permission from the authorities. At that time, the petitioners trespassed into the de-facto complainant's Company and threatened them with deadly weapons and also criminally intimidated them. In the above circumstances, the criminal case has been registered against the petitioner and now to quash the F.I.R., the present criminal original petition has been filed.



3. The learned counsel appearing for the petitioners would contend that the false case has been foisted against them and they are not indulged any criminal activities.

4. The learned Government Advocate (Crl.side) on instructions would submit that already the investigation has been over and the respondent police going to file a final report within a period of one month.

5. On perusal of the averments made in the complaint, it could be seen that a *prima facie* case is made out against the petitioners for registering the F.I.R. and there is no valuable reason has been advanced for quashing the F.I.R. Apart from that now the investigation is also over.

6. In the above circumstances, this Court is not inclined to quash the F.I.R. Hence, the criminal original petition is dismissed. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Crl.side)

/ True Copy /

Sub Assistant Registrar (CS-)

To

1.The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.

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

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ES/25.07.2019/2P/3C