



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD) .No.8941 of 2019

and

CrI.M.P. (MD) .No.5686 of 2019

1.Ferozkhan @ Puroossan

2.Abdulkalam Asath

3.Ibrahim

4.Marsudh @ Masooth

5.Irbaan

: Petitioner

Vs.

1.State represented by

The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
(In Crime No.346 of 2016)

2.Aishamariam

: Respondents

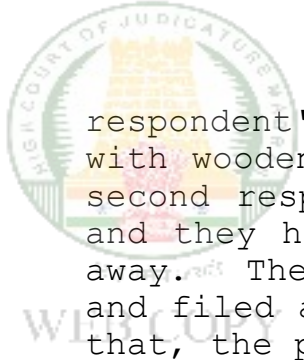
PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to call for the records pertaining to the impugned First Information Report in Crime No.346 of 2016, dated 11.05.2016 on the file of the first respondent Police and quash the same.

For Petitioner : Mr.I.Mohamed Razvi
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

ORDER

This petition has been filed seeking to quash the impugned First Information Report in Crime No.346 of 2016, dated 11.05.2016, on the file of the first respondent Police.

2. The petitioners are the accused in Crime No.346 of 2016, for the alleged offences under Sections 147, 294(b) and 307 of the Indian Penal Code and Section 3 of TNPPDL Act. The above said crime has been registered based on a complaint given by the second respondent on the ground that, due to previous enmity between the petitioners and the second respondent, on 11.05.2016 at about 05.30 p.m. all the petitioners assembled in front of the second



respondent's house. The Accused No.1 attacked the second respondent with wooden log, thereafter, all the accused broke the glass of the second respondent's house and also abused her with filthy language and they have also attacked another person viz., Tajnisha, and ran away. Thereafter, the second respondent was admitted in hospital and filed a complaint before the first respondent Police. Based on that, the present crime has been registered. Now, to quash the above First Information Report, the present quash petition has been filed.

3. The learned Government Advocate (Crl. side) appearing for the first respondent submitted that the investigation has already been over and final report has been filed before the learned Judicial Magistrate No.2, Ramanathapuram and the matter is pending for committal.

4. I have perused the records carefully. On perusal of the First Information Report, it is clearly discloses the cognizable offence against the petitioners and specific overt acts have been attributed against them, and the first respondent has rightly registered the First Information Report.

5. Considering the facts and circumstances of the case, I find no reason to quash the First Information Report. That apart, now, it is submitted that the investigation has already been over and final report has been filed before the learned Judicial Magistrate No.2, Ramanathapuram and the matter is pending for committal, in the said circumstances, the prayer sought for by the petitioners cannot be granted at this stage.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.

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

CRL.O.P. (MD) .No.8941 of 2019

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