

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8181 of 2020

and

Crl.M.P.Nos . 4068 & 4069 of 2020

1.Subramani
2.Jayaprakash
3.Dr.Sathish

...Petitioners

Vs.

1.The State represented by
The Inspector of Police,
Arakonam Police Station,
Ranipet District.

2.Chandra

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime No. 316 of 2020 pending on the file of first respondent police and quash the same.

For Petitioners: Mr.K.M.Vijayan
for M/s.K.M.Vijayan Associates

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to quash the FIR in Crime No.316 of 2020 for the offences under sections 147, 294 (b), 427, 506(i) and 379 IPC on the file of the first respondent police.

2. The learned counsel for the petitioner would submit that there is dispute in respect of property between the petitioners and their sister namely the second respondent herein claiming for the very same property. Therefore, the petitioner also lodged a complaint as against the second respondent and others which was registered in Crime No.315 of 2020 for the very same offences. Further he submitted that a civil suit is also pending between the parties in O.S.No.31 of 2020 for injunction on the file of the District Munsiff Court, Sholinghur, Vellore District and now the matter is also

referred before the Executive Magistrate to initiate proceedings under Section 145 Cr.P.C.

3. The learned Additional Public Prosecutor would submit that there are counter cases by the both the parties and both the FIRs were registered in Crime No.315/2020 & 316/2020 for the very same offences as against the petitioners and the counter parties. Now the matters have been referred before the Executive Magistrate to initiate the proceedings under section 145 Cr.P.C.

4. Considering the above facts and circumstance of the case, the first respondent is directed to complete the investigation based on the orders passed by the Executive Magistrate under section 145 Cr.P.C. and also follow the procedure laid down under Police Standing Order 588(A) and file final report accordingly.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Arakonam Police Station,
Ranipet District.

2.The Public Prosecutor,
High Court, Madras. सत्यमेव जयते

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