



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2020

CORAM :

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P(MD) No.12484 of 2020

and

Crl.M.P(MD) No.5659 of 2020

WEB COPY

- 1.Muthupandi@Sankarapandi
- 2.Karuppusamy
- 3.Kalaiselvam
- 4.Rajaram
- 5.Lakshmanan
- 6.Ambeth
- 7.Murugan S/o Irulan
- 8.Murugan S/o Maruthan
- 9.Rajeshwaran
- 10.Kumarandi

...Petitioners/Accused 1 to 10

Vs.

- 1.State Represented by the
Sub Inspector of police,
Manamadurai Police Station,
Sivagangai District.

...1st Respondent/
Complainant

- 2.Mr.Sureshkannan

...2nd Respondent/Defacto
Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire relevant records connected to the First Information Report in Crime No.454 of 2020, dated 23.05.2020, pending on the file of the 1st respondent police station and quash the same as illegal as against the petitioners.

For Petitioner : Mr.R.Senthilkumar
For R-1 : M/s.S.E.Veronica Vincent
Government Advocate (Crl. Side)

O R D E R

Heard, the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the first respondent.

2.This Criminal Original Petition has been filed for quashing the First Information Report in Crime No.454 of 2020, dated 23.05.2020, pending on the file of the 1st respondent police station



3. According to the petitioner, based on the complaint given by the second respondent/defacto complainant, a case in Crime No.454 of 2020 has been registered against the petitioners under Sections 147,148,294(b),323,324,506(ii) of IPC. It is further stated that a case in Crime No.453 of 2020 has been registered by the first respondent police against the defacto complainant and 7 others under Sections 147, 148,341,294(b), 323,324,448, 506(ii), 379 of IPC and 3(1)(r), 3(1)(s) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Amendment Act, 2015, even before the registration of the case in Crime No.454 of 2020 against the petitioners. According to the petitioner, in order to escape from the clutches of law, the defacto complainant gave false complaint against the petitioners. Hence, the petitioner prays this Court to quash the First Information Report in Crime No.454 of 2020.

4.When the matter is taken up for hearing today, the learned Government Advocate (Crl.Side) appearing for the 1st respondent would state that after completion of investigation, the First Information Report has been referred as 'mistake of fact'.

5.Recording the above submission, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To:

1.The Sub Inspector of police,
Manamadurai Police Station,
Sivagangai District.



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

WEB COPY

CrI.O.P(MD) No.12484 of 2020

and

CrI.M.P(MD) No.5659 of 2020

05.11.2020

CK(CO)

KM (01.12.2020) 3P 3C