



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2020

CORAM

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

Crl.O.P. (MD) No.14484 of 2020

and

Crl.M.P. (MD) No.6810 of 2020

- 1.Pasith
- 2.Ibrahim
- 3.Anish
- 4.Sabhana

... Petitioners/Accused 1to4

Vs.

- 1.The State Rep. by
The Inspector of Police,
Nilakkottai Police Station,
Dindigul District.
(Crime No.678 of 2020)

... 1st Respondent/Complainant

- 2.Giyaoul Said

... 2nd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the case in Crime No.678 of 2020 on the file of the Inspector of Police, Nilakkottai Police Station, Dindigul District and quash the same.

For Petitioners : Mr.K.Manikandan
For R1 : Mr.V.Neelakandan,
Additional Public Prosecutor.

ORDER

This criminal original petition has been filed to quash the First Information Report in Crime No.678 of 2020 on the file of the Inspector of Police, Nilakkottai Police Station, Dindigul District.

2.The learned counsel appearing for the petitioners would submit that due to some dispute, the second respondent preferred a complaint and based on the same, a case in crime No.678 of 2020 was registered for the offence under Sections 294(b), 323, 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. He would further submit that the petitioners herein also made a complaint against the second respondent, however, the respondent police did not register the same. Hence, the petitioners filed a private complaint before the learned Judicial Magistrate, Nilakkottai, Dindigul District and the same was allowed. Thereafter, a case was registered against the second respondent in crime No.607 of 2020 for the offence under Sections 147, 294(b), 341, 323, 506(i) IPC. The learned counsel for the petitioner would



submit that only due to wreck vengeance, a false case has been registered. Hence, the petitioners filed the present petition seeking the aforesaid relief.

3.Heard the learned counsel for the petitioners and perused the materials available on record. In view of the order going to be passed, notice to the second respondent is not necessary.

4.The present case is a case and case in counter. In both the FIRs, specific allegations are made against each other. Therefore, it would not be appropriate for this Court to interfere into the investigation to say who is correct or who is wrong.

5.Hence, this Court is not inclined to quash the First Information Report in crime No.678 of 2020, at this stage. However, the respondent police is directed to complete the investigation and file the final report in both cases, within a period of three months from the date of receipt of a copy of this order. Accordingly, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Inspector of Police,
Nilakkottai Police Station,
Dindigul District.

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

Order made in
CRL OP(MD)No.14484 of 2020 and
CRL MP(MD) No.6810 of 2020
10.12.2020

GNS

SRS/07.01.2021/2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>