



WEB COPY

CrI.O.P.(MD)No.18080 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2020**

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P. (MD)No.18080 of 2016

and

CrI.M.P. (MD)No.9017 of 2016

1.Rajesh @ Rajeswaran
2.Senthamarai @ Senthamarai Udaiyappa
3.Manimuthu : Petitioners/Accused Nos.1 to 3

Vs.

1.The Inspector of Police,
Mathakupatti Police Station,
Sivagangai District. : 1st Respondent/Complainant
(In Crime No.149 of 2016)

2.R.Kannappan : 2nd Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of the Code of Criminal Procedure praying to call for the records in Crime No.149 of 2016 pending on the file of the Inspector of Police, Mathakupatti Police Station, Sivagangai and quash the same.

For Petitioners : Mr.N.Tamilmani
For Respondent No.1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (CrI.side)
For Respondent No.2 : Mr.V.Sasikumar

ORDER

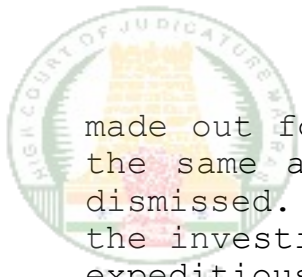
The present petition has been filed to quash the First Information Report registered in Crime No.149 of 2016 pending on the file of the first respondent.

2. The allegation is that the petitioners herein have trespassed into the *defacto* complainant's property and demolished the building and iron gate with JCB and caused damage to the tune of Rs.2,00,000/- [Rupees Two Lakhs only]. Hence, the complaint has been lodged and to quash the same, this petition has been filed.

3. Heard the submissions made on either side and perused the materials available on record.

4. A reading of the First Information Report registered in Crime No.149 of 2016 would go to show that a *prima facie* case is

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made out for registering an FIR and I find no valid ground to quash the same at this stage. Hence, this Criminal Original Petition is dismissed. However, the first respondent is directed to proceed with the investigation in Crime No.149 of 2016 and file a final report as expeditiously as possible and after filing final report, if the petitioners have any grievance, it is always open to them to challenge the same. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

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.

SML

To

- 1.The Inspector of Police,
Mathakupatti Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.N. TAMILMANI, Advocate (SR-13384[F] dated 30/07/2020)

Order made in

Cr1.O.P. (MD)No.18080 of 2016

Dated: **29.07.2020**

VB (06.08.2020) 2P 4C