

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.O.P.No.5100 of 2018
and Crl.M.P.No.2537 of 2018**

1.R.Rathinasamy
2.N.Anandkumar
3.G.Sampath
4.R.Sulochana
5.R.Sasikala

... Petitioners

Vs.

1.State rep.by
The Inspector of Police,
Saravanampatti Police Station,
Coimbatore.
(Cr.No.993 of 2017)

2.Mrs.Visalachi

... Respondents

Prayer:Petition filed under Section 482 of Cr.P.C., to call for the records relating to FIR in Cr.No.993 of 2017 on the file of the Inspector of Police, Saravanampatti Police Station, Coimbatore, for the alleged offences punishable under Sections 147, 148, 448, 506(ii) IPC and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 and quash the same as abuse of process of law.

For Petitioners	: Mr.R.Bharathkumar
For RR1	: Mr.A.Gopinath, Government Advocate (Crl.Side)

ORDER

The petitioners have filed this petition seeking to call for the records and quash the proceeding in F.I.R. in Cr.No.993 of 2017, on the file of the Inspector of Police, Saravanampatti Police Station, Coimbatore.

2. The case of the prosecution is that there was a civil dispute between the petitioners and the defacto complainant. Alleging unauthorised construction on the part of the 2nd respondent husband, the petitioners herein had filed a Writ Petition before this Court, wherein this Court has directed to cause inspection of the land and building. Annoying over the same and at the instigation of the defacto complainant's husband, she lodged a complaint before the 1st respondent Police, which resulted in registration of the FIR in Cr.No.993 of 2017.

3. When the matter is taken up, learned Government Advocate (Crl.Side) submitted that the investigation has been completed and charge sheet has also been filed, which is yet to be taken on file.

4. In view of the aforesaid submission, nothing survives for adjudication in the present petition. Accordingly, this petition is closed. However, liberty is granted to the petitioner to raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law. Consequently connected miscellaneous petition is closed.

01.07.2021

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

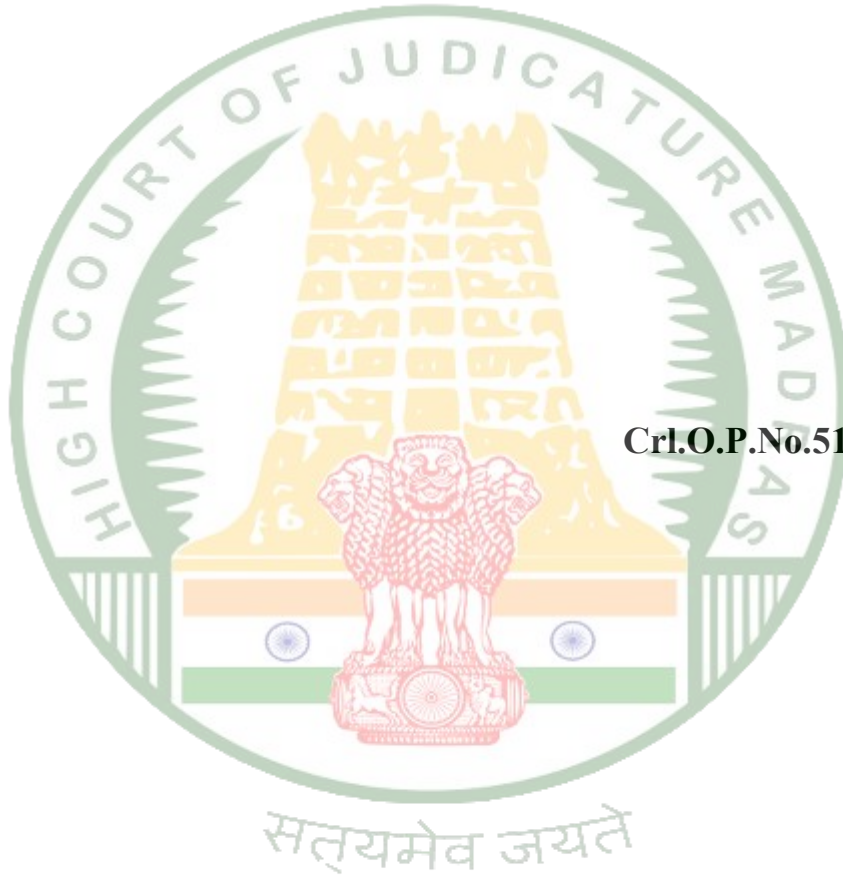
To

1.The Inspector of Police,
Saravanampatti Police Station,
Coimbatore.

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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M.DHANDAPANI,J.
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