

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.6314, 6318 & 6319 of 2018  
and Crl.MP.Nos.3187,3192 & 3193 of 2018

Crl.O.P.No.6314 of 2018;

B.Premkumar ...Petitioner  
Vs.

1. The Sub Inspector of Police,  
Omalur Police Station,  
Omalur Taluk,  
Salem District.

2. Preethi Suresh ...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. call for the records in CC.No.150 of 2017 pending on the file of the learned Judicial Magistrate-I, Omalur and quash the same.

Crl.O.P.No.6318 of 2018;

1. B.Premkumar  
2. Usha  
3. Ajai Krishna ...Petitioners  
Vs.

1. The Sub Inspector of Police,  
Omalur Police Station,  
Omalur Taluk,  
Salem District.

2. K.P.Balan ...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. call for the records in CC.No.151 of 2017 pending on the file of the learned Judicial Magistrate-I, Omalur and quash the same.

Crl.O.P.No.6319 of 2018;

B.Premkumar ...Petitioner  
Vs.

1. The Sub Inspector of Police,  
Omalur Police Station,  
Omalur Taluk,  
Salem District.

2. Preethi Suresh ...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. call for the records in CC.No.152 of 2017 pending on the file of the learned Judicial Magistrate-I, Omalur and quash the same.

For Petitioners : Mr.M.Elango (in all the CrI.OP.s')  
For Respondents : Mr.Mohamed Riyaz R1  
Additional Public Prosecutor  
Ms.K.Priya R2

#### COMMON ORDER

The proceedings which are the subject matter of challenge in all these petitions pertain to a dispute within the family members. In one case, the father is the defacto complainant and in two other cases, the sister is the defacto complainant. It seems that there was a property dispute among the family members and various suits have been filed by the parties.

2. It is seen from records that there were nearly 5 FIR.s' and 4 CSR.s' given against the petitioner by his father and sister. The alleged offences are under sections 341, 506 (i), 294(b), 447 and 427 of IPC

3. Heard Mr.M.Elango, learned counsel for the petitioners and Mr.Mohamed Riyaz, learned Additional Public Prosecutor, appearing on behalf of the first respondent and Ms.Priya, learned counsel for the second respondent.

4. In the considered view of this Court, a civil dispute between the parties is attempted to be given a criminal colour for every quarrel that has taken place, one FIR came to be registered and the same has now resulted in the criminal proceedings against the petitioner and his family.

5. A careful reading of the final report along with the statement recorded from the witnesses shows that no offence has been made out against the petitioners. No useful purpose will be served in keeping the criminal proceedings pending and the continuation of the criminal proceedings will be an abuse of process of Court.

6. In the result, all the three Criminal Original Petitions are allowed and all the proceedings which are the subject matter of challenge in these petitions are quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

To

1.The Sub Inspector of Police,  
Omalur Police Station,  
Omalur Taluk,  
Salem District.

2.The Judicial Magistrate No.1,  
Omalur.

3. The Public Prosecutor  
High Court of Madras  
Chennai - 600 104.

Crl.O.P.Nos.6314, 6318 & 6319 of 2018  
and Crl.MP.Nos.3187,3192 & 3193 of 2018

RR(CO)  
KKV/03/03/2021