



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15974 of 2021
and
Crl.M.P.No.8694 of 2021

1.R.Elangeshwaran
2.Dr.R.Ramalingam

...

Petitioners

Vs.

State Rep. by
Inspector of Police
Reddy Chavadi Police Station
Cuddalore District - 607 403

...

Respondent

PRAYER: The Criminal Original Petition has been filed under Section 482 Cr.P.C. Praying this Hon'ble Court may be pleased to call for the records pertaining to the proceedings in FIR dated 07.03.2021 under Crime No.31/2021 registered by the Special Sub-Inspector of Police, Kumarasamy.A, Reddy Chavadi Police Station, Cuddalore pending on the file of the Judicial Magistrate No-II at Cuddalore.

For Petitioner : Mr.U.Gowri Shankar

For Respondent : Mr.A.Damodaran
Government Advocate (Crl.side)

ORDER

The petitioners, who are the accused in Cr.No.31/2021 for offences under Sections 294(b), 429 and 506(2) of IPC, have filed this quash petition.

2.The contention of the learned counsel for the petitioners is that the petitioners have lodged a complaint against one Sankar, Kiruba, Amuthan and Murugan as they altered the physical features and also damaged the Panchayat road using JCB No.TN-31-AF-1598 and CSR No.106/2019 assigned. Thereafter, the petitioners filed Crl.OP.No.8484/2019 and a case came to be registered on 10.05.2021 in Crime No.115/2019. Aggrieved against the same, the petitioners falsely implicated in this case. The petitioners submit that there has been a delay in lodging the complaint, which would clearly show that the complaint itself is an afterthought. Further, the



allegation in the complaint is that a cow, which was grazing near a field, was attacked and its horn was broken, sustained bleeding injuries. When the same was questioned by the defacto complainant, the defacto complainant was threatened by them that he would meet the same fate, as that of the cow. According to the learned counsel for the petitioner, the broken horn of the cow not produced in this case and no injury sustained by the cow. On this point, filed the quash petition.

3.The learned Additional Public prosecutor submits that in this case, an innocent cow has been brutally attacked by the petitioners, which sustained fracture of horn. The cow was produced before the veterinary doctor of Pudukadai, who gave a certificate after examining the cow on 08.03.2021. Further, wound of the cow recorded and thereafter, the cow, sustained certain medical abnormalities, which are clearly stated. The photograph produced as seen from the case diary. The injury to the case is confirmed.

4.In view of the same, this Court finds that the contention of the petitioners is unsustainable. Hence, the petition is dismissed directing the respondent police to complete the investigation and file a final report within a period of three months. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

sms/drm

To

1. The Special Sub-Inspector of Police,
Kumarasamy.A, Reddy Chavadi Police Station,
Cuddalore.
2. The Inspector of Police
Reddy Chavadi Police Station
Cuddalore District - 607 403.

3. The Judicial Magistrate No.II,
Cuddalore.



4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.U.Gowri Shankar, Advocate SR.No.47277

Cr1.O.P.No.15974 of 2021
and
Cr1.M.P.No.8694 of 2021

PMK (CO)
GMY (18/10/2021)