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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

C O R A M

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL.O.P.NOS.15248 AND 17064 OF 2021

AND

CRL. M.P. NOS.8315 AND 9331 OF 2021

1. Anbazhagan

2. Yuvaraj

3. Elaiyaraja

... Petitioners/Accused
(in Both Petitions)

Vs.

1. The Inspector of Police,
Ariyur Police Station,
Ariyur (Bagayam Circle),
Vellore District. (Crime No.155 of 2021)

2. The Inspector of Police,
Sathuvachari Police Station,
Sathuvachari,
Vellore District.

.. 1 & 2 Respondents/Complainants
(in Both Petitions)

3. S.Elango

.. 3rd Respondent/Defacto Complainant
(in Crl. OP.No.15248 of 2021)

3. Chinnadurai

.. 3rd Respondent/Defacto Complainant
(in Crl. OP.No.17064 of 2021)

COMMON PRAYER: These Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, praying to call for the records relating to the FIR in Crime Nos.154 and 155 of 2021 on the file of the 1st respondent police dated 09.06.2021 and quash the same.



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For petitioners : Mr.V.Elangovan
(in Both Crl.O.Ps)

For R1 & R2 : Mr.E.Raj Thilak
(in Both Crl.O.Ps) Additional Public Prosecutor)

For R3 : Mr.C.Prabakaran
(in Both Crl.O.Ps)

COMMON ORDER

The petitioners have filed these petitions to call for the records relating to the FIR in Crime Nos.154 and 155 of 2021 on the file of the 1st respondent police and quash the same.

2.When these petitions came up for hearing, the third respondents in both the above Crl.O.Ps/defacto-complainants are present and the petitioners are also present.

3.The learned counsel for the petitioners has submitted that defacto complainants/3rd respondents herein, in both the Criminal Original petitions have not given any complaint against the petitioners herein. However, the petitioners have falsely implicated in this case. In order to prove this, the Chief examination and cross examination of the Defacto complainants before the Departmental proceedings have been submitted before this Court in the form of Additional typed set of papers.

4. While this Court is enquiring the defacto complainants//3rd respondents herein, in the aforesaid Criminal Original petitions, they have deposed before this Court that they have not given any complaint against the petitioners and as they are illiterate, they have put their signature in the complaint application without knowing the contents therein. Further, they have categorically stated that the petitioners have not threatened them and they made their statements on their own volition.

5.The learned Additional Public Prosecutor has also no objection to quash the proceedings in the case in Crime Nos.154 and 155 of 2021 on the file of the 1st respondent police.

6.In view of the aforesaid depositions made by the Defacto-complainants before this Court, recording the same and as there is no material against the petitioners in this regard, this court is inclined to quash the Criminal proceedings relating to the case in Crime Nos.154 and 155 of 2021, pending on the file of the first respondent police. Accordingly, these



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petitions are allowed and the Criminal proceedings in Crime Nos.154 and 155 of 2021 are quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Lbm

To

1. The Inspector of Police,
Ariyur Police Station,
Ariyur (Bagayam Circle),
Vellore District. (Crime No.154 & 155 of 2021)
2. The Inspector of Police,
Sathuvachari Police Station,
Sathuvachari, Vellore District.
3. The Public Prosecutor,
High Court, Chennai.

+1cc to M/s.S.Doraiswamy, Advocate, S.R.No.68999

Crl.O.P.Nos.15248 and 17064 of 2021
and Crl. M.P. Nos.8315 and 9331 of 2021

KSM(CO)
RLP(07/02/2022)