



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.18541 of 2021

and

CrI.M.P.No.10213 of 2021

1. Senthilkumar
2. Rojappu
3. T. Selvaraj
4. Kaliyaperumal
5. Loganathan
6. Athiyaman
7. Uthaman

...Petitioners

Versus

State Rep by

1. The Inspector of Police,
Thittacherry Police Station,
Nagapattinam District.

2. Muthukumar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in First Information Report in Crime No.796 of 2021 on the file of the Inspector of Police, Thittachery Police Station, Nagapattinam District as far as the petitioners are concerned and quash the same as abuse of process of law.

For Petitioners : Mr.S.Ravichandran

For Respondents : Mr.R.Vinothraja
Government Advocate(CrI.Side)
for R1

ORDER

This Criminal Original Petition has been filed to quash the case in Crime No.796 of 2021 on the file of the first respondent police.

2. The contention of the petitioner is that there is some dispute with regard to the common land, which is adjacent to the defacto complainant's residence. The petitioners and other



villagers said to have questioned the defacto complainant and shifted the fence and demarcated the land. Due to which, dispute arose, there was some exchange of glows and hence, the complaint was lodged. The de-facto complainant belongs to opposite political party. Hence, the issue had been politicized, following the same, protest was also held. On 14.07.2021, the mother of the defacto complainant, namely, Pownammal died in suspicious circumstances, which has been now projected as though the petitioners and others have assaulted her and hung her.

3. The learned counsel for the petitioners submitted that since the defacto complainant's political party wanted to implicate all his political rivalries, the petitioners and other villagers have been falsely implicated in this case. He further submitted that all the petitioners were not at all present in the native village and they were working elsewhere.

4. The learned Government Advocate (criminal side) appearing for the first respondent would submit that investigation in this case is in progress. If the petitioners shall produce necessary documents to prove that they were not present in the village, the same would be considered.

5. Recording the same, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Inspector of Police,
Thittacherry Police Station,
Nagapattinam District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Ravichandran, Advocate, S.R.No.54427

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KG(CO)
RGA(01/12/2021)