



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

Crl.O.P. (MD)No.4723 of 2021

and

Crl.M.P(MD) No.2673 of 2021

1.Karuppasamy
2.Manivel
3.Kumar
4.Lakshmi

... Petitioners/
Accused No.1 to 4

Vs.

1.The Inspector of Police,
Chindhamanipatty Police Station,
Karur District.
(Crime No.47 of 2021)

... 1st Respondent/
Complainant

2.Sevugagounder

... 2nd Respondent/
Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings in Crime No.47 of 2021 on the file of the first respondent police and quash the same.

For Petitioners : Mr.V.Vilma Raxy
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

ORDER

This petition has been filed seeking quashment of the proceeding in Crime No.47 of 2021 on the file of the first respondent police.

2.The case of the prosecution is that there is a land survey dispute between the defacto complainant and the first petitioner herein. On 23.01.2021, due to the aforesaid dispute, the defacto complainant was assaulted by the accused. Hence, a complaint was lodged by him. Based on the complaint, an enquiry was conducted by the respondent police and thereafter, a case in Crime No.47 of 2021 has been registered under Sections 294(b), 323, 324 and 506(ii) of I.P.C. Seeking quashment



of the same, this petition has been filed by the accused Nos.1 to 4.

3. According to the learned counsel for the petitioners, a dispute arose between the parties, when the petitioners purchased the property, for which, the private respondents are making some claims. According to him, instead of finding of aggressor, a false complaint has been lodged by the opposite party and they are being roped in.

4. According to the learned Government Advocate(crl.side), in both the cases filing in Crime Nos.46 and 47 of 2021, investigation is going on and the real aggressor would be found only during the course of investigation.

5. In view of the above, since there are complaints and counter complaints, no quashment is possible at this stage and so, there shall be a direction to the first respondent police to complete the investigation and file a final report within a period of three months from the date of receipt of a copy of this order. The petitioner may share whatever information available with him and also co-operate with the Investigating Officer for completing the investigation.

6. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

CP

To

<https://hcservices.ecourts.gov.in/hcservices/>



1.The Inspector of Police,
Chindhamanipatty Police Station,
Karur District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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GS (10.06.2021) 3P 3C