



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2021

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

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Crl.O.P.(MD).No.12514 of 2021
and Crl.M.P.(MD).No.6398 of 2021

- 1.Murugesan, S/o.Sanmugam.
- 2.Thoondiaiyia
- 3.Selvam
- 4.Thondiraj
- 5.Pragash
- 6.Ramkumar
- 7.Rajasekar
- 8.Murugesan, S/o Subramani
- 9.Senthilkumar
- 10.Santhanam
- 11.Rajkumar
- 12.Kulanthaivel
- 13.Kani
- 14.Ravi
- 15.Thondiyappa
- 16.Velsamy
- 17.Thanikodi
- 18.Sekar
- 19.Ponrakku
- 20.Thondimuthu
- 21.Selvi
- 22.Pandi
- 23.Sutha
- 24.Chithra
- 25.Manjamatha

... Petitioners/Accused

Vs.

- 1.The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
Crime No.112 of 2018.

...1st Respondent/Complainant

- 2.Singarani

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to quash the Charge Sheet filed in PRC No.1/2021 on the file of the Judicial Magistrate Cum District Munsif Court, Thiruvadanai in connection with the Cr.No.112 of 2018 on the file of the 1st respondent/Complainant police.



For Petitioner : Mr.R.Sevugaraja
For Respondents : Mr.R.Meenakshi Sundaram for R1
Additional Public Prosecutor

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ORDER

(This petition is heard through video conference)

This petition has been filed seeking quashment of Charge Sheet filed in PRC No.1/2021 on the file of the Judicial Magistrate Cum District Munsif Court, Thiruvadanai in connection with the Cr.No.112 of 2018 on the file of the 1st respondent/Complainant police.

2.When the matter is taken up for hearing, the learned counsel for the petitioner would submit that on the date of alleged occurrence i.e., on 30.07.2018, which was registering in Crime No.112 of 2018, on 31.07.2018, the defacto complainant attacked the first petitioner and others with deadly weapon and he was assaulted in the hospital, for which, a case in Crime No.113 of 2018 has been registered. According to the learned counsel for the petitioner, the contention of the FIR in Crime No.113 of 2018, shows that the occurrence said to have been taken place on 30.07.2018 at about 06.00 p.m.

3.However, the learned Additional Public Prosecutor submitted that this is a case in counter and it is a group clash among the fisher men in the village. In this matter there are injured persons also available. They are also spoken about the injuries sustained by them.

4.Whether the time mentioned in the FIR in Crime Nos.113 of 2018 and 112 of 2018 are correct or not cannot be the matter for consideration in this matter. It is a matter for trial. Liberty is also available to the petitioner to file application before the concerned Court, seeking appropriate remedy.

5.With the above liberty, this petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021
Sub Assistant Registrar(CS)

TM



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.

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To

- 1.The Inspector of Police,
Thondi Police Station,
Ramanathapuram District
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P. (MD) .No.12514 of 2021
21.09.2021

RD(4.10.2021) 3P 3C