



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)Nos.7807, 12158 & 13451 of 2021

and

Crl.M.P. (MD)Nos.3983, 6236 & 6982 of 2021

WEB COPY

Crl.O.P. (MD)No.7807 of 2021:

1.S.Sivakumar

2.P.Uthayanithi

... Petitioners/Accused 1 & 2

vs.

1.The State represented by
The Sub-Inspector of Police,
Batagundu Police Station,
Dindugal District.

... 1st Respondent/Complainant

2.Krishnamoorthy

... 2nd Respondent/De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to quash the FIR in Crime No.217 of 2021 dated 04.04.2021 pending on the file of the first respondent police station insofar as the petitioners are concerned.

For Petitioners : Mr.R.Singaravelan, Senior Counsel for
Mr.D.Selvanayagam

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1
Mr.Isaac Mohanlal
for Mr.Isaac Chambers for R2

Crl.O.P. (MD)No.12158 of 2021:

Nithya

... Petitioner/Accused No.8

vs.

1.The State represented by
The Sub-Inspector of Police,
Batagundu Police Station,
Dindugal District.

... 1st Respondent/Complainant

2.Krishnamoorthy

... 2nd Respondent/De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to quash the FIR in Crime No.217 of 2021 dated 04.04.2021 pending on the file of the first respondent police station insofar as the petitioner is concerned.



For Petitioners : Mr.R.Singaravelan, Senior Counsel for
Mr.D.Selvanayagam
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1
Mr.Isaac Mohanlal
for Mr.Isaac Chambers for R2

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Crl.O.P. (MD)No.13451 of 2021

1.Pandi @ Muthupandy

2.Ravi

3.Vijayakumar

4.Naveen Nagendrasasikumar

5.Senthilnathan

... Petitioners/Accused 3 to 7

vs.

1.The State represented by
The Sub-Inspector of Police,
Batagundu Police Station,
Dindugal District.

... 1st Respondent/Complainant

2.Krishnamoorthy

... 2nd Respondent/De-facto Complainant

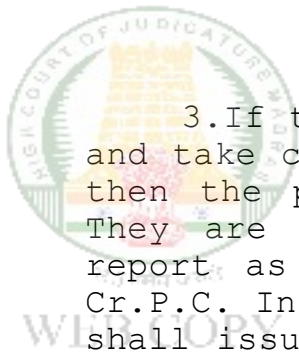
PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to quash the FIR in Crime No.217 of 2021 dated 04.04.2021 pending on the file of the first respondent police station insofar as the petitioners are concerned.

For Petitioners : Mr.R.Singaravelan, Senior Counsel for
Mr.D.Selvanayagam
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1
Mr.Isaac Mohanlal
for Mr.Isaac Chambers for R2

COMMON ORDER

These Criminal Original Petitions have been filed to quash the impugned FIR in Crime No.217 of 2021 registered on the file of the first respondent.

2.When the matters were taken up for hearing, the learned Additional Public Prosecutor submitted that final report had already been submitted before the jurisdictional Court. Hence, a report was called for. The learned Judicial Magistrate, Nilakottai, had also stated that final report was received on 24.09.2021 itself. Therefore, this Criminal Original Petitions are closed as infructuous for the present. The learned Judicial Magistrate, Nilakottai, is directed to take a call in the matter within a period of seven days from the date of receipt of a copy of this order.



3.If the learned trial Magistrate decides to accept the report and take cognizance of the offences, issue summons to the accused, then the petitioners need not wait till the first hearing date. They are permitted to apply for certified copies of the final report as well as the statements recorded under Section 161(3) Cr.P.C. In that event, the learned Judicial Magistrate, Nilakottai, shall issue certified copies without any delay. It is open to the petitioners herein to move this Court once again for quashing the proceedings. The papers will be served in advance on the learned counsel for the de-facto complainant so that the de-facto complainant shall be ready for final disposal at the admission stage itself. All the contentions of the petitioners are left open. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

csn/mga

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.

To

- 1.The Judicial Magistrate,
Nilakottai.
- 2.Do Through The Chief Judicial Magistrate,
Dindigul District.
- 3.The Sub-Inspector of Police,
Batagundu Police Station, Dindugal District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.ISAAC CHAMBERS, ADVOCATE (SR-37257 dated 03.12.2021)
+1 CC to M/s.D.Selvanayagam, ADVOCATE (SR-37266 dated 03.12.2021)

Crl.O.P. (MD)Nos.7807, 12158 & 13451 of 2021

and

Crl.M.P. (MD)Nos.3983, 6236 & 6982 of 2021

02.12.2021

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RS (06.12.2021) 3P 7C

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