



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.11776 of 2021 and
Crl.M.P(MD) No.6028 of 2021

1.Raju
2.Perumal
3.Rajangam

... Petitioners/Accused No.1 to 3

Vs.

1.The State rep by Sub Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.211/2021)

... 1st Respondent/Complainant

2.Selvaraj

... 2nd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned First Information Report in Crime No.211 of 2021, on the file of the Sub Inspector of Police, Thenkarai Police Station, Theni and quash the same.

For Petitioner : Mr.C.Christopher
For R1 & R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This petition is filed seeking quashment of impugned First Information Report in Crime No.211 of 2021, on the file of the Sub Inspector of Police, Thenkarai Police Station, Theni

2.The grievance of the petitioner is that the offence punishable under Section 506(i) IPC, which is mentioned in the First Information Report is not attracted against these petitioners. Another ground raised by the learned counsel for the petitioner is that it is a case and counter case, upon which, case in Crime No.212 of 2021 was also registered against the accused persons namely the complainant in this matter. He has produced the discharge summary issued by the Government Medical College Hospital, Theni in respect of Raju and Perumal.

3.The learned Additional Public Prosecutor would submit that it is a case and counter case. Three witnesses have been examined so far. Awaiting Wound Certificate to proceed further. He



would further submit that within two months Final Report will be filed.

4.The submission of the learned Additional Public Prosecutor is placed on record. Since cases have been registered against both the parties and injuries also sustained by both of them, quashment of one of the First Information Reports is not possible. However, there shall be a direction to the respondent to complete the investigation and file Final Report as per law, within a period of two months from the date of receipt of a copy of this order.

5.With the above direction, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 Sub Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.211/2021)

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

Crl.O.P.(MD)No.11776 of 2021 and
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RK (27.08.2021) 2P 3C

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