



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.17932 of 2021

and

Crl.M.P.No.9781 of 2021

WEB COPY

1.Krishnaprasath
2.Nataraj
3.Loganayagi

... Petitioners / Accused
No.s 1 to 3

Vs.

1.State represented by
The Sub Inspector of Police,
Oddanchatram Police Station,
Dindigul District.

2.Nithinkumar

... Respondents / Complainant /
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records pertaining to the FIR in Crime No.624 of 2019 on the file of the Sub Inspector of Police, Oddanchatram Police Station, Dindigul District as far as the petitioners are concerned and quash the same as illegal.

For Petitioners : Mr.V.Palanichamy
For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor for R1.

O R D E R

This criminal original petition has been filed to quash the impugned FIR in Crime No.624 of 2019 registered on the file of the first respondent for the offences under Sections 147, 148, 294(b), 323, 324, 341, 427, 307 and 506(ii) of IPC.

2.The learned counsel appearing for the petitioners reiterated all the contentions set out in the memorandum of grounds. He would point out that there is a civil dispute pending between the parties and that a false case has been registered. I am not able to accept the contentions of the learned counsel for the petitioners. As pointed out by the learned Additional Public Prosecutor appearing for the first respondent, the wound certificate issued by the doctor indicates that the victim had suffered a sutured cut injury on the forearm. In the statements recorded under Section 161 of CrPC, the petitioners have been



specifically implicated and overt acts have been attributed. Therefore, the impugned FIR cannot be quashed in exercise of jurisdiction under Section of 482 of CrPC. The petitioners will have establish their innocence before the Court below.

3. Leaving open the petitioners' contentions and defences, this criminal original petition is dismissed. Since FIR is of the year 2019, the first respondent is directed to file the final report on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

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,
Oddanchatram Police Station,
Dindigul District.

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

+1 CC to M/s.V. PALANICHAMY, Advocate (SR-34724[F] dated 17/11/2021)

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SE(CO)

SB(02.12.2021) 2P 4C