



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P.(MD)No.18439 of 2021 and

CRL.M.P.(MD)No.10160 of 2021

1. R.Muniyandi
2. M.Eswaran
3. M.Ramakrishnan ... Petitioners/ Accused Nos.1 to 3

Vs.

1. The State rep. By,
The Inspector of Police,
Nathampatti police station,
Virudhunagar District.
(Crime No.92 of 2021) ... Respondent No.1/ Complainant

2. Muthumani ... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the First Information Report in Crime No.92 of 2021 dated 20.09.2021 on the file of the first respondent / Inspector of Police, Nathampatti police station, Virudhunagar District and quash the same as against the petitioner.

For Petitioners : Mr.M.Jerin Mathew
For R-1 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the First Information Report in Crime No.92 of 2021 registered on the file of the first respondent for the offences under Sections 294(b), 342, 323 and 506(1) of I.P.C.

3. The learned counsel appearing for the petitioners reiterated all the contentions set out in the memorandum of grounds.

4. If I have to consider the contentions, I have to necessarily undertake a factual probe.



5. The learned Additional Public Prosecutor states that there is a case and counter case.

6. The respondent police has to follow the procedure set out in PSO 566. The investigation officer is directed to file final report within a period of three months from the date of receipt of a copy of this order. Leaving open the petitioners' contentions and defences, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 Inspector of Police,
Nathampatti police station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-35806[F] dated 25/11/2021)

Crl.O.P.(MD)No.18439 of 2021
24.11.2021

RK(09/12/2021) 2P 4C