



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

CrI.O.P.(MD)No.19839 of 2021 and

CRL.M.P.(MD)No.11162 of 2021

WEB COPY

1. Palani Kumar
2. T.Raja
3. Madan Kumar
4. Ajith Kumar
5. R.Vasanth Ganesh ... Petitioners / Accused Nos.1 to 5

Vs.

1. The Inspector of Police,  
Aruppukottai Town police station,  
Virudhunagar District,  
Virudhunagar.  
(Crime No.108 of 2021) ... Respondent No.1 / Complainant
2. Sermakani ... Respondent No.2 /  
Defacto Complainant

**Prayer:** Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the First Information Report in Crime No.108 of 2021 dated 08.06.2021 on the file of the first respondent and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy  
For R-1 : Mr.E.Antony Sahaya Prabahar,  
Additional Public Prosecutor.

\* \* \*

### O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed to quash the impugned First Information Report.

3. The defacto complainant is said to have sustained some injury. The impugned First Information Report has been registered for the offences under Sections 147, 294(b), 427, 323 and 506(i) of I.P.C.

4. I went through the contents of the First Information Report. Overt act has been attributed against each of the

<https://hcservices.ecourts.gov.in/hcservices/>



Additional Public Prosecutor appearing for the first respondent, considering the petitioners counsel's contentions would necessarily involve undertaking a factual analysis and probe. Exercising jurisdiction under Section 482 of Cr.P.C., I cannot do so.

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5. Leaving open all the contentions and the defences of the petitioners, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl side)

// 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,  
Aruppukottai Town police station,  
Virudhunagar District,  
Virudhunagar.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate ( SR-38745[F] dated 15/12/2021 )

Crl.O.P.(MD)No.19839 of 2021

14.12.2021

RK(27/12/2021) 2P 4C