



Crl.OP.No.31542 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 21.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31542 of 2022
& Crl.M.P.Nos.19293 & 19294 of 2022

1.Govindasamy

2.Chinnasamy

3.Palanivel

4.Sanjeevan

...Petitioners

Vs.

1.State represented by
The Inspector of Police,
Bargur Police Station,
Krishnagiri.

2.Krishnamoorthi

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the final report dated 09.04.2022 and all consequent proceedings in STC.1649 of 2022 on the file of the learned Judicial Magistrate – I, Krishnagiri.



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For Petitioners : Mr.G.Sriram
For Respondents : Mr.S.Santhosh (For R1)
Government Advocate(Criminal side)

ORDER

This Criminal Original Petition has been filed to quash the final report dated 09.04.2022 and all consequent proceedings in STC.1649 of 2022 on the file of the learned Judicial Magistrate – I, Krishnagiri.

2.The learned counsel for the petitioner submitted that on the basis of the complaint given by one Krishnamoorthi, registered case in Crime No.75 of 2022 for the offence under Section 294 (b) & 506 (1) I.P.C. Similarly Sanjeevan, fourth petitioner herein, gave a complaint against Krishnamoorthi and one Kamalesan and that was registered in Crime No.74 of 2022 for the offence under Section 294 (b) and 506 (1) I.P.C. Respondent Police has filed final report only in Crime No.75 of 2022 and not filed final report in Crime No.74 of 2022. That apart, the issue between the parties is property dispute. The civil dispute is converted as criminal dispute.



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3.The learned Government Advocate (Criminal side) submitted that final report was also filed in Crime No.74 of 2022 and was taken on file in STC.1649 of 2022. Both the cases are taken up together.

4.From the First Information Report allegations and the materials produced, it is evident that the parties have fought with each other leading to registration of these two cases. After the investigation, final report in both the cases have been filed and taken on file. This Court finds no merits to quash the proceedings in STC.1649 of 2022 and directs the learned Judicial Magistrate – I, Krishnagiri, to try both the cases simultaneously and pronounce judgment on same date.

5.Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

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Index : Yes / No
Speaking / Non Speaking order
ep



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G.CHANDRASEKHARAN,J.

ep

To

1. The Inspector of Police,
Bargur Police Station,
Krishnagiri.
- 2.The Public Prosecutor,
High Court of Madras, Chennai.

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