



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.433 of 2022

and

Crl.M.P.(MD)No.328 of 2022

WEB COPY

1.M.Dinesh Muthu

2.Nehru

... Petitioners/Accused 1& 2

Vs.

1.The State rep by its

The Inspector of Police,
Chinnamannur Police Station,
Theni District.

(Crime No.1211 of 2021)

...1st Respondent/Complainant

2.Wasim Khan

...2ndRespondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the FIR in Crime No.1211 of 2021 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.S.Loganathan
For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1.
Mr.S.Kandasamy for R2

O R D E R

Heard the learned counsel for the petitioners, the learned Additional Public Prosecutor for the first respondent and the learned counsel for the second respondent.

2.The petitioners are shown as accused in Crime No.1211 of 2021 for the offences under Section 294(b) of IPC. I went through the contents of the FIR. The words uttered by the petitioners has not even been set out. It appears to be a case of petty quarrel. This is a case in which Section 95 of IPC deserves to be invoked. Since the essential ingredients of the offence is not made out, the impugned FIR is quashed and the criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

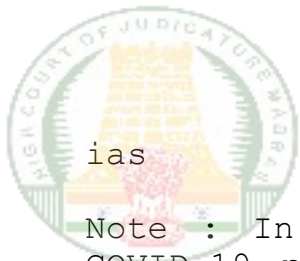
Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

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 Inspector of Police,
Chinnamannur Police Station,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.S.LOGANATHAN, Advocate (SR-3377[F] dated 01/02/2022)

Crl.O.P(MD)No.433 of 2022
31.01.2022

NSN(CO)
KB(22.02.2022) 2P 5C