



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1909 of 2022

and

Crl.M.P(MD)No.1398 of 2022

1.Ammaiyappan
2.Ganesan
3.Ramasamy
4.Karthikeyan @ Karthic
5.Pandian

... Petitioners/
Accused Nos.1 to 5

V

s.

1.The State represented by
The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
(In Crime No.9 of 2022)

... 1st Respondent/
Complainant

2.The Thasildhar,
Sivagiri Taluk,
Tenkasi District.

... 2nd Respondent/
De-facto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in respect of Crime No.9 of 2022 on the file of the first respondent and quash the same.

For Petitioners : Mr.M.P.Senthil

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Crl.Side)

ORDER

Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondents.

2. The petitioners are shown as accused in Crime No.9 of 2021 registered for the offence under Section 153(A) IPC. A reading of the FIR indicates that a genuine civil dispute has been given a criminal colour. The petitioners cannot be visited with prosecution



for asserting their civil rights. The registration of FIR is an abuse of process of law. The FIR stands quashed. This Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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,
Sivagiri Police Station,
Tenkasi District.
- 2.The Thasildhar,
Sivagiri Taluk,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-4825[F] dated 08/02/2022)
Crl.O.P(MD)No.1909 of 2022
and
Crl.M.P(MD)No.1398 of 2022
04.02.2022

MGJ(25.02.2022) 2P 5C