

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.09.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

Crl.O.P.(MD).Nos.15624 & 15633 of 2022

Crl.O.P.(MD).No.15624 of 2022

1.Sivakumar
2.Sivaraj
3.Nageshwari
4.Periyasamy

... Petitioners/Accused Nos.1 to 4

Vs.

1.The Sub Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
(Crime No.12 of 2022)

... 1st Respondent/Complainant

2.Rajalingam

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the impugned FIR in Crime No. 12 of 2022, dated 10.02.2022 filed under Sections 294(b), 324, 506(2) of IPC, registered on the file of 1st respondent police.

For Petitioners : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor

Mr.S.Boominathan for R2

Crl.O.P.(MD).No.15624 of 2022

1.Rajalingam
2.Manikandan

... Petitioners/Accused Nos.1 & 2

Vs.

1.The Sub Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
(Crime No.11 of 2022)

... 1st Respondent/Complainant

2.Nageshwari ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the impugned FIR in Crime No. 11 of 2022, dated 10.02.2022 filed under Sections 294(b), 323, 324, 506(2) of IPC r/w. Section 4 of TNPHW Act, 2002, registered on the file of 1st respondent police.

For Petitioners : Mr.S.Boominathan

For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor

Mr.P.M.Vishnuvarthanan for R2

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the First Information Reports registered against the respective Petitioners in Crime Nos.11 of 2022 and 12 of 2022 on the file of the 1st respondent.

2.The learned Counsel for the Petitioners in Crl.O.P.(MD).No. 15624 of 2022 submits that the petitioners are arrayed as accused in

Crime No.12 of 2022 on the file of the first respondent police. It is the case of the Petitioners that the Petitioners and the Defacto Complainant are brothers. The connected case has been registered in Crime No.11 of 2022 against the Defacto Complainant.

3. The learned Additional Public Prosecutor submits that Crime No.11 of 2022 has been registered for the offences punishable under Sections 294(b), 323, 324, 506(2) of IPC r/w. Section 4 of TNPHW Act, 2002, whereas, the FIR in Crime No.12 of 2022 has been registered for the offences punishable under Sections 294(b), 324, 506(2) of IPC. There is a Civil dispute between the brothers.

4. Considering the submissions of the learned Additional Public Prosecutor that the dispute arose because of a Civil Dispute between the brothers, the FIR in both the cases are hereby quashed.

5. These Criminal Original Petitions are allowed accordingly.

05.09.2022

Index : Yes/No
Internet : Yes/No
TM

To

- 1.The Sub Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SATHI KUMAR SUKUMARA KURUP. J.

TM

Crl.O.P.(MD)Nos.15624 & 15633 of 2022

05.09.2022