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Crl.O.P.No.2190 of 2023 &
Crl.MP.No.1228 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.2190 of 2023 and
Crl.MP.No.1228 of 2023

1.Sunil Kumar
2.Lakshmi

... Petitioners

Vs

1.The State Represented by
Inspector of Police,
N1, Royapuram Police Station,
Chennai-600 013.

2.Sangeetha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in Crime No.1494 of 2021 dated 23.10.2021, on the file of the first respondent and quash the same as against the petitioners.

For Petitioners : Mr.G.R.Deepak

For Respondents : Mr.S.Santhosh (for R1)

Government Advocate (Crl.Side)



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ORDER

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This petition is filed to call for the records in Crime No.1494 of 2021 dated 23.10.2021, on the file of the 1st respondent and quash the same as against the petitioners.

2. The learned counsel for the petitioners submitted that there is a property dispute between the petitioners and the 2nd respondent/*de-facto* complainant. In this regard, a Civil Suit in C.S.No.115 of 2022 is pending on the file of this Court. The allegations made in the complaint are false therefore this petition is filed for quashing the First Information Report.

3. The learned Government Advocate (crl.side) submitted that the investigation in this case is almost completed. The *de-facto* complainant Sangeetha and her husband Akilesh Bhaskaran suffered injuries in the incident. Therefore, he prays for dismissal of this petition.

4. Considered the rival submissions and perused the records. Reading of the First Information Report shows that there is a dispute between the *de-facto* complainant's family and accused. It is alleged that on 21.10.2022 at about 9.30 p.m., *de-facto* complainant, her husband and accused Lakshmi/2nd petitioner herein were in Kunhiram Stores. At that time, Lakshmi's husband Sunil Kumar/1st petitioner herein suddenly started



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attacking the *de-facto* complainant's husband Akilesh Bhaskaran with his hands. Hence the *de-facto* complainant tried to intervene. Accused Lakshmi had hit the *de-facto* complainant with a bunch of keys and caused injuries. Both the accused have pushed them, kicked them and hit them. They also made criminal intimidation. On the basis of the complaint, First Information Report in Crime No.1494 of 2021 for the offences under Sections 294(b), 323, 324 and 506(1) of IPC was registered by the Washermenpet Police Station.

5. It is seen from the submission of the learned Government Advocate (crl.side) that both the *de-facto* complainant and her husband suffered injuries in the incident. The allegations made in the First Information Report and the materials collected so far clearly establishes cognizable offences against the petitioners, which requires investigation of the matter. It is submitted by the learned Government Advocate (crl.side) that investigation in this case is almost completed and final report will be filed within a period of one month.

6. In the said circumstances, this court finds no merits in the petition for quashment of proceedings in Crime No.1494 of 2021. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected



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miscellaneous petition is closed. However, the respondent police is directed to file final report within a period of 1 month from the date of receipt of copy of this Order.

02.02.2023

Index :Yes/No
Internet:Yes/No
mpl

To

1.The State Represented by
Inspector of Police,
N1, Royapuram Police Station,
Chennai-600 013.

2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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