



Criminal Original Petition Nos.991, 15331 & 20563 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 03.07.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Criminal Original Petition Nos.991, 15331 & 20563 of 2022**

**and**

**CrI.M.P.No.388 of 2022 in CrI.O.P.No.991 of 2022,**  
**CrI.M.P.No.8603 of 2022 in CrI.O.P.No.15331 of 2022 &**  
**CrI.M.P.No.13471 of 2022 in CrI.O.P.No.20563 of 2022**

**CrI.O.P.No.991 of 2022**

1.Hemalatha

D/o.Ramasamy

2.Anushiya

W/o.Kannaiah

...Petitioners in CrI.O.P.No.991/2022

**Vs**

1.The Inspector of Police,  
Palladam Police Station,  
Tiruppur District.  
Crime No.1830 of 2021

2.Sugapriya

W/o.Duraipandian

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for records of the First Information Report in Crime No.1830 of 2021 on the file of first respondent and quash the same.



Criminal Original Petition Nos.991, 15331 & 20563 of 2022

For Petitioners : Mr.S.Kumaresan

For Respondents : Mr.A.Damodaran  
Additional Public Prosecutor [R1]  
Mr.R.Karthick [R2]

**Crl.O.P.No.15331 of 2022**

P.Tamilselvan  
S/o.Perumal

...Petitioner

Vs

1.State by  
The Inspector of Police,  
Palladam Police Station,  
Tiruppur District.  
Crime No.2421 of 2020

2.Hemalatha  
W/o.Sridhar

... Respondents

**PRAYER** : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for records pertaining to C.C.No.115 of 2021 pending on the file of learned Judicial Magistrate, Palladam and quash the same.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.A.Damodaran  
Additional Public Prosecutor [R1]  
Mr.S.Kumaresan [R2]



Criminal Original Petition Nos.991, 15331 & 20563 of 2022

**Crl.O.P.No.20563 of 2022**

1.Sureshkumar  
S/o.Vengatachalam

2.Vengatesh  
S/o.Subramaniyam

...Petitioners

Vs

1.State by  
The Inspector of Police,  
Palladam Police Station,  
Tiruppur District.  
Crime No.2421 of 2020

2.Hemalatha  
W/o.Sridhar

... Respondents

**PRAYER** : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for records pertaining to C.C.No.115 of 2021 pending on the file of learned Judicial Magistrate, Palladam and quash the same.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.A.Damodaran  
Additional Public Prosecutor [R1]  
Mr.S.Kumaresan [R2]

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**COMMON ORDER**

The issue involved in all these petitions are common and hence, they are taken up together, heard and disposed of through this common order.



2. CrI.O.P.No.991 of 2022 has been filed to quash the case in Crime

No.1830 of 2021 pending investigation on the file of first respondent.

3. CrI.O.P.Nos.15331 and 20563 of 2022 have been filed by accused

1 to 3 to quash the proceedings in C.C.No.115 of 2021 pending on the file of learned Judicial Magistrate, Palladam.

4. Heard learned counsel on either side.

5. The first petitioner in CrI.O.P.No.991 of 2022 is the sister of *de facto* complainant and the second petitioner is the office assistant in the school named as Blue Bird Matriculation School, Palladam. The petitioner in CrI.O.P.No.15331 of 2022 is the husband of yet another sister Jayaprabha. The petitioners in CrI.O.P.No.20563 of 2022 are relatives of Tamilselvan, who is the petitioner in CrI.O.P.No.15331 of 2022.

6. It is quite apparent from the records that there is a dispute with regard to running of Blue Bird Matriculation School. According to petitioners in CrI.O.P.No.991 of 2022, the school was originally run by



Father viz., Ramasamy and his wife. There was some dispute between the family members as a result of which complaints were given against each other. The main aim for the complaints that have been given by both sides is to take control of the school. The first petitioner in CrI.O.P.No.991 of 2022 is claiming to be the Principal of the Blue Bird Matriculation School.

7. This Court directed the parties to settle the dispute among themselves by referring them to the Mediation Centre and the parties were not able to reach a settlement. In any event, the control over the school must be resolved only before an appropriate forum and the parties cannot keep giving complaints against each other before the police to resolve the dispute. In other words, criminal proceedings are not really going to help the parties to decide as to who will have the control over the school. Hence, the pendency of the criminal proceedings against both the parties will amount to an abuse of process of law and it will be a waste of time for the police and the criminal courts to spend their time over a private dispute between the family members over the control of a school. Hence, this Court is inclined to interfere with all the criminal proceedings and quash the same. It will be left open to the parties to agitate their rights before the appropriate forum regarding the control and management over the school.



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**N.ANAND VENKATESH, J**

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8. In the light of the above discussion, the case in Crime No.1830 of 2021 pending investigation on the file of the Inspector of Police, Palladam Police Station is hereby quashed. The proceedings in C.C.No.115 of 2021 pending on the file of learned Judicial Magistrate, Palladam, is quashed.

In the result, all these Criminal Original Petitions are allowed.  
Consequently, connected miscellaneous petitions are closed.

**03.07.2023**

Index : Yes/No  
Speaking order: Yes/No  
Neutral citation: Yes/No  
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To

1.The Judicial Magistrate,  
Palladam.

2.The Inspector of Police,  
Palladam Police Station,  
Tiruppur District.

3.The Public Prosecutor,  
High Court, Madras.

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