



Crl.OP.No.2886 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.2886 of 2023

1.Elumalai

2.Tamilselvam

3.Ravichandran

4.Yuvaraj @ Kanniyappan

5.Murugan

6.Amutha

...Petitioners

Vs.

1.State by

The Inspector of Police

Gingee Police Station

Cr.No.607 of 2022

Villupuram District.

2.Navanithan

... Respondents

PRAYER : This Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the F.I.R. case in Cr.No.607 of 2022 on the file of Inspector of Police Gingee Police Station, Villupuram District.

For Petitioners : Mr.S.P.Thirumalai



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For Respondents : Mr.S.Santhosh (For R1)
Government Advocate (Crl side)

ORDER

This Criminal Original Petition has been filed to quash the F.I.R. case in Cr.No.607 of 2022 on the file of Inspector of Police Gingee Police Station, Villupuram District.

2.The learned counsel for the petitioners submitted that second respondent/defacto-complainant is brother-in-law of sixth accused. There is land dispute between petitioners and defacto-complainant. There is also a complaint given against the defacto-complainant and First Information Report in Crime No.606 of 2022 was registered and it is pending. As a counter blast to that case, this complaint was given and First Information Report was registered. Thus, he prayed for quashing the proceedings in Cr.No.607 of 2022.

3.The learned Government Advocate (Criminal side) submitted that investigation in this case is pending. Defacto-complainant suffered several injuries including head injuries. The injuries are serious in nature. He was attacked by dangerous weapons. Therefore, the learned Government Advocate



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(Criminal side) prayed for dismissal of this petition.

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4.Considered the rival submissions and perused the records.

5.The First Information Report allegations show that on 17.12.2022 at about 7.30 a.m., when the second respondent was in his land, accused Amudha brought her cattle through his land. When he objected that, she made phone call to other accused. Other accused came with deadly weapons like Knife, Crowbar and BKC started attacking the defacto-complainant. Elumalai hit him with dhadi on his head. Rajendran hit him with Kadaparai on his head. They also made death threat. He suffered serious injuries on his head and leg. Therefore, he gave a complaint. On the basis of his complaint, First Information Report in Crime No.607 of 2022 for the offence under Section 147, 148, 294 (b), 323, 324 and 506 (2) I.P.C. was registered against the petitioners by Gingee Police Station.

6.The First Information allegations clearly make out cognizable offences against the accused that they had attacked the second respondent/defacto-



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complainant with deadly weapons and caused him extensive injuries. They also made death threat. The copy of the accident register shows that second respondent suffered deep laceration injuries over left fronto-parietal and right parietal region. He also suffered abrasion near left forearm and had tenderness over right ankle. Thus, it is clear that second respondent suffered serious injuries by the accused in the incident. The offence alleged against the petitioners are cognizable in nature and therefore, the allegations in the First Information Report are required to be investigated by the respondent Police.

7.In this view of the matter, this Court finds that there is no merits to entertain this quash petition. Accordingly, this Criminal Original Petition is dismissed.

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Index : Yes / No
Speaking / Non Speaking order
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To

- 1.The Inspector of Police
Gingee Police Station
Cr.No.607 of 2022
Villupuram District
- 2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN,J.

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