



Crl.O.P.No.8571 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8571 of 2023

and

Crl.M.P.No.5453 of 2023

1.Muruganandham
2.Jeyakumar
3.Priya @ Rukmani
4.Chinnamani

... Petitioners

VS

1.The State represented by
The Inspector of Police,
Gomangalam Police Station,
Coimbatore.
(Crime No.21 of 2023)

2.Manjula ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to call for the records and quash the First Information Report in Crime No.21 of 2023 pending investigation on the file of the 1st respondent police.

For Petitioner ... M/s.Sudha Gandhi.T

For R-1 ... Mr.S.Santhosh
Government Advocate (Criminal side)



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ORDER

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This Criminal Original Petition has been filed to call for the records and quash the First Information Report in Crime No.21 of 2023 pending investigation on the file of the 1st respondent police.

2. Learned counsel for the petitioners submitted that, petitioners are accused in Crime No.21 of 2023 for the offences under Sections 294(b), 323, 324 and 506(2) of IPC. The reality is that, petitioners were attacked by the defacto complainant and her relatives. As a result, one Chitra Devi wife of 1st petitioner suffered injuries. When they had taken Chitra Devi to Hospital for treatment, 2nd respondent had given a false complaint against the petitioners. On the basis of the complaint given by 1st petitioner, First Information Report was registered for the offences under Sections 294(b), 323, 324 and 506(2) of IPC. Therefore, this petition is filed to quash the First Information Report in Crime No.21 of 2023 pending investigation on the file of the 1st respondent police.



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3. In response, Learned Government Advocate (Criminal side) submitted that, as indicated earlier, there are two cases registered on the basis of the complaint given by parties against each other. He also produced a copy of the Accident Register to show the injury suffered by defacto complainant/Manjula and 1st petitioner's wife Chitra Devi. Investigation in both the cases are pending.

4. Considered the rival submissions and perused the records.

5. It is seen from the First Information Report allegations in Crime No.21 of 2023 that, when defacto complainant was in her house at 9.00 am on 03.02.2023, her neighbours Muruganandham and his wife Chitra Devi trespassed into her house and demanded them to remove the iron gate in front of her house. When they refused to remove the iron gate, Muruganandham scolded the defacto complainant in filthy language and hit her with wooden log on her shoulder and back. Thereafter, he threw the iron gate and that fell on his wife Chitra Devi. As a result Chitra Devi suffered simple injury. Muruganandham's brother Jayakumar, his wife



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Priya and his mother Chinnamani had pulled the 2nd respondent's hair, pushed her down. Muruganandham hit her and made death threat.

6. The aforesaid allegations made in the First Information Report in Crime No.21 of 2021 clearly show the commission of cognizable offences by the petitioners against the defacto complainant. The allegations in the First Information Report have to be investigated by respondent police to find out the truth. The investigation in counter case is also pending.

7. In such circumstances, the prayer for quashment of First Information Report in Crime No.21 of 2023 cannot be entertained by this Court. Therefore, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

20.04.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
gd



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To
WEB COPY

1. The Inspector of Police,
Gomangalam Police Station,
Coimbatore.
2. The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN, J.

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