



Crl.O.P.No.8594 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 20.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8594 of 2023

and

Crl.M.P.No.5472 of 2023

- 1.Latchapathy @ Laxshavathi
- 2.Mahalakshmi
- 3.Vinothini
- 4.Abirami
- 5.Pavithra
- 6.Saraswathy
- 7.Sarala.F
- 8.Chitra
- 9.Selvi
- 10.Annammal
- 11.Praveen @ Praveenkumar
- 12.Karuna @ Karunakaran
- 13.Arun @ Arunkumar
- 14.Surya
- 15.Vignesh
- 16.Jayamaran
- 17.Madhan Kumar
- 18.Janarthanan
- 19.Vinith
- 20.Balaji
- 21.Ranjith
- 22.Prathap
- 23.Madhan Kuamr

...

Petitioners



Crl.O.P.No.8594 of 2023

VS

1.The Inspector of Police,
Milk Colony Police Station,
Mahavaram,
Chennai.
(Crime No.336 of 2022)

2.Narendrakumar ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to call for the records in Crime No.336 of 2022, on the file of 1st respondent police and quash the FIR, as far as this petitioners/accused are concerned.

For Petitioner ... Mr.P.Srinivasan

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

ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.336 of 2022, on the file of 1st respondent police and quash the FIR, as far as this petitioners/accused are concerned.

2. Learned counsel for the petitioners submitted that, when it is claimed in the First Information Report that, two parties were fighting with each other, registering First Information Report against one party is not



Crl.O.P.No.8594 of 2023

legal. It is further submitted by him that, there is no material produced to show the damage caused to the police vehicle namely Jeep-gypsy. Thus, he prayed for quashment of Crime No.336 of 2022, on the file of 1st respondent police.

3. In response, learned Government Advocate (Criminal side) submitted that, vehicle namely Gypsy bearing No.TN 01 G 6544 was sent for Motor vehicle inspection. Investigation in this case is almost completed and final report will be filed soon before the concerned Court.

4. Considered the submissions and perused the records.

5. The First Information Report allegations show that, the defacto complainant received information on 23.07.2023 at about 22.21 hours that, two groups were fighting against each other at Sowbakiya Nagar. He went there, along with his police party. There he found two parties fighting with each other with dangerous weapons like knife, sticks and stones. The defacto complainant advised them to disperse from there to avoid further



escalation of violence. When the defacto complainant found that, one Udhayakumar was responsible for the group clash, defacto complainant took Udhayakumar in his Gypsy. At that time, Udhayakumar instigated his group members to damage the Gypsy. Thereafter Udhayakumar's mother, his wife and other accused started attacking the vehicle. They damaged the vehicle using knife and wooden logs. Accused Saraswathy, Rekha, Abirami, Sarala and Pavithra threw chilli powder on the police. Therefore, a complaint was given in that regard.

6. The aforesaid allegations made in the complaint, clearly make out commission of cognizable offences by the accused in this case. Therefore, allegations in the First Information Report must be necessarily investigated by the respondent police to file appropriate final report.

7. In this view of the matter, there is no merit in this case seeking quash of First Information Report in Crime No.336 of 2022. Therefore, this Court is not inclined to quash the First Information Report in Crime No.336 of 2022. Accordingly, this Criminal Original Petition is dismissed.



CrI.O.P.No.8594 of 2023

Consequently, the connected Miscellaneous Petition is closed.

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20.04.2023

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

1.The Inspector of Police,
Milk Colony Police Station,
Mahavaram,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

G.CHANDRASEKHARAN, J.



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Crl.O.P.No.8594 of 2023

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Crl.O.P.No.8594 of 2023

20.04.2023