



WEB COPY



Crl.O.P.Nos.12215 of 2019 & 24743 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.Nos.12215 of 2019 & 24743 of 2018 and
Crl.M.P.Nos.13965 of 2018 & 6399 of 2019

Crl.O.P.No.12215 of 2019;-

1. Mari @ Chinnavel
2. Vasantha
3. Muniyammal
4. Rajeswari
5. Sasikumar
6. Chinthamani

... Petitioners

Vs.

Anushka

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in S.T.C.No.881 of 2018 on the file of the Judicial Magistrate No.II, Dharmapuri and quash the same.

Crl.O.P.No.24743 of 2017;-

- 1) Vinoth Kumar
- 2) Prabakaran
- 3) Praba
- 4) Anushka
- 5) Santhi

... Petitioners

Vs.

Mari @ Chinnavel

... Respondent



Crl.O.P.Nos.12215 of 2019 & 24743 of 2018

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records relating to the case in C.C.No.147 of 2018 on the file of the Judicial Magistrate-II, Dharmapuri and quash the same.

(In Crl.O.P.No.12215 of 2019)

For Petitioners : Mr.V.Sakkarapani

For Respondent : Mr.S.Vinoth Kumar

(In Crl.O.P.No.24743 of 2018)

For Petitioners : Mr.S.Vinoth Kumar

For Respondent : Mr.V.Sakkarapani

COMMON ORDER

These Criminal Original Petitions have been filed to quash the proceedings in S.T.C.No.881 of 2018 on the file of the Judicial Magistrate No.II, Dharmapuri and C.C.No.147 of 2016 on the file of the Judicial Magistrate-II, Dharmapuri, thereby taken cognizance for the offences under Sections 147,148,323,294(b),506(ii) of IPC.

2. The petitioners in Crl.OP.12215 of 2019 are the accused in the private complaint lodged by one of the petitioner in Crl.OP.24743 of 2018. The petitioners in Crl.OP.24743 of 2018 are accused in the complaint lodged by the 1st petitioner in Crl.OP.12215 of 2019.



Crl.O.P.Nos.12215 of 2019 & 24743 of 2018

3. Heard, the learned counsel appearing on either side.

WEB COPY

4. The crux of the case is that on 30.05.2018, when the grandson of the Defacto-Complainant in C.C.No.147 of 2018 and others were playing cricket, the first accused requested to join him in the cricket match. But that was refused by one Kishorekumar. However, the cricket ground belongs to his family members. Therefore, they were not permitted to play cricket and they were sent out from the Cricket ground. Thereafter, there was a wordy quarrel between both the family members and attacked each other and both the parties were threatened with dire consequences. Hence, the first petitioner as well as the 5th petitioner in Crl.OP.12215 of 2019 lodged a complaint before the Inspector of Police, Adhiyamankottai Police Station, Dharmapuri. A detailed enquiry was conducted and both the complaints were closed. Therefore, the first petitioner lodged private complaint in C.C.No.147 of 2018 for the said occurrence as against the respondent and others. On receipt of the summons from C.C.No.147 of 2018, the respondent lodged a private complaint in S.T.C.No.881 of 2018 as against the petitioners for the very same occurrence. Both the complaints have been taken cognizance by the very same trial Court i.e., learned Judicial Magistrate No.II, Dharmapuri for the offence punishable under Sections 147,148,323,294(b),506(ii) of IPC.

5. The Inspector of Police, Adhiyamankottai Police Station, Dharmapuri



CrI.O.P.Nos.12215 of 2019 & 24743 of 2018

rightly closed the complaint after conducting detailed enquiry. That apart, all the allegations are trivial in nature. Therefore, in order to meet the ends of justice, both the complaints in C.C.No.147 of 2018 and S.T.C.No.881 of 2018 on the file of the Judicial Magistrate-II, Dharmapuri are quashed and both the Criminal Original Petitions are allowed. Consequently, connected miscellaneous petitions are closed.

09.11.2023

Index :Yes/No

Internet : Yes/No

Speaking order/non-speaking order
gvn

To

1.The Judicial Magistrate-II, Dharmapuri

2.The Public Prosecutor,
High Court of Madras

G.K.ILANTHIRAIYAN, J.



WEB COPY



Crl.O.P.Nos.12215 of 2019 & 24743 of 2018

gvn

CRL.O.P.Nos.12215 of 2019 & 24743 of 2018 and
Crl.M.P.Nos.13965 of 2018 & 6399 of 2019

09.11.2023