



WEB COPY



Crl.O.P.No.20939 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.20939 of 2023

and

Crl.M.P.No.14364 of 2023

1.Veerateshwaran
2.Revathi
3.Karthik

.. Petitioners/Accused 1-3

/versus/

1.The State represented by:-
The Inspector of Police,
Mailam Police Station,
Villupuram District.
(Crime No.260 of 2023)

.. 1st respondent/Complainant

2.Magalakshmi

.. 2nd respondent/Informant

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records in Crime No.260 of 2023 on the file of the first respondent and quash the First Information Report.

For Petitioner : Mr.P.Suresh

For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side) for R1



WEB COPY



Crl.O.P.No.20939 of 2025

ORDER

It is the case in counter registered by the police, in view of fight between the family members of two brothers.

2. The learned counsel appearing for the petitioners submitted that it is the case foisted against victim, instead of aggressor and the petitioners were arrested and remanded before the Judicial Magistrate at late night, but, the Judicial Magistrate has rightly refused to take the 2nd petitioner to the judicial custody. The learned counsel is showing CCTV footage contended that the police has acted excessively on the date of arrest.

3. The learned Government Advocate appearing for the first respondent submitted that, there is a long standing dispute between two brothers and the police forced to initiate proceedings under Section 107 of Cr.P.C. Hence, on the date of the incident, the defacto complainant and her husband, when went to their house to collect documents, the petitioners resisted them from entering into the house and attacked them in the malign and both were sustained injury and case has been registered.



WEB COPY



Crl.O.P.No.20939 of 2023

4. In the light of the above fact, this Court finds that this petition to quash the First Information Report is not sustainable, since *prima facie* material is available to take cognizance of offence for investigation. Hence, this Criminal Original Petition is dismissed with liberty to the petitioners to workout their remedy after filing the final report. Consequently, connected Miscellaneous Petition is closed.

07.12.2023

Index : Yes/No

Neutral Citation : Yes/No

ari

To

1.The Inspector of Police, Mailam Police Station,
Villupuram District.

2.The Public Prosecutor, High Court of Madras,
Chennai – 600 104.

DR.G.JAYACHANDRAN,J.



WEB COPY



Crl.O.P.No.20939 of 2023

ari

Crl.O.P.No.20939 of 2023
and
Crl.M.P.No.14364 of 2023

07.12.2023