



Crl.OP.No.27428 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2023

CORAM:

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

Crl.OP.No.27428 of 2022 and
Crl.MP.Nos.16854 & 16855 of 2022

- 1.Maruthupandi
- 2.Ayyadurai
- 3.Chithra
- 4.Inthirani
- 5.Ramamirtham

... Petitioners

Vs.

- 1.State by
The Inspector of Police,
Thoothur Police Station,
Thoothur, Ariyalur District
(crime No.124 of 2021)
- 2.Kaliyamoorthi

... Respondents

PRAYER: Criminal original petition is filed under Section 482 of Cr.P.C. to call for the entire records concerned in CC.No.330 of 2022 on the file of the Judicial Magistrate-II, Ariyalur, Ariyalur District and quash the same insofar as the petitioners are concerned.

For Petitioners : Mr.C.Prakasam

For Respondents
For R1 : Mr.A.Gopinath,
Government Advocate(Crl.side)

For R2 : No appearance



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in CC.No.330 of 2022 on the file of the Judicial Magistrate-II, Ariyalur, Ariyalur District thereby taken cognizance for the offence Sections 147, 148, 294(b), 323 & 324 of IPC as against the petitioners.

2. The case of the prosecution is that on 07.06.2021, there was a dispute with regards to ridges between the petitioners' family and the second respondent's family lands while cultivating the land by putting seeds. In the said dispute, both the family members attacked each other. Hence, the complaint. On receipt of the said complaint, the first respondent registered FIR in crime No.124 of 2021 for the offence under Sections 147, 148, 294(b), 323, 324 of IPC. After completion of investigation, the first respondent filed final report and the same has been taken cognizance by the trial court in CC.No.330 of 2022.

3. On perusal of records, revealed that on the said occurrence, the first petitioner lodged complaint and the same was registered in crime No.123 of 2021 on the file of the first respondent. In both the FIR's, final reports were



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filed and the same have been taken cognizance and both the family i.e. petitioners' family as well as the second respondent's family are facing trial before the trial court. The second respondent' family is also facing trial in CC.No.331 of 2022 pending before the learned Judicial Magistrate-II, Ariyalur. The first respondent charged the petitioners for the offence under Sections 323 and 324 of IPC. However, there is no evidence to show that they sustained injuries. They were not taken to hospital and no doctor was examined by the prosecution. That apart, the entire allegations are trivial in nature and in order to meet the ends of justice, this Court is inclined to quash the impugned proceedings.

4. Accordingly, the entire proceedings in CC.No.330 of 2022 on the file of the Judicial Magistrate-II, Ariyalur, Ariyalur District is quashed and this criminal original petition is allowed. Consequently, connected miscellaneous petitions are closed.

30.11.2023

Index : Yes/No

Internet : Yes/No

Speaking order/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Judicial Magistrate-II,
Ariyalur, Ariyalur District
- 2.The Inspector of Police,
Thoothur Police Station,
Thoothur, Ariyalur District
- 3.The Government Advocate,
High Court of Madras

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