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Crl.O.P.No.23997 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23997 of 2023

and

Crl.M.P.No.16683 of 2023

1.Moutto Ayyasamy
2.Baby
3.M.Arulmuthuvarman
4.Sankar

... Petitioners

Vs

1.The State Rep.by
The Inspector of Police,
Ariyankuppam Police Station,
Pondicherry.
(Crime No.101 of 2022)

2.T.Amal Rose

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in connection with the charge sheet in C.C.No.426 of 2023 before the learned Judicial Magistrate No.III, Puducherry and quash the same in so far as the petitioner is concerned.

For Petitioners : Ms.V.Gayathiri

For R1 : Mr.M.V.Ramachandramurthy
Additional Public Prosecutor (Puducherry)



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ORDER

The case of the petitioners herein is that on 09.08.2022, there was criminal trespass into his property by the private respondent who and his daughter attacked him and damaged CCTV camera as well as prevented him putting in his staircase. Regarding the incident he gave a complaint to the respondent police in Crime No.100 of 2022. Instead of taking action on their complaint, the respondent police received the false complaint from the 2nd respondent and registered the case in Crime No.101 of 2022 and filed a lopsided final report, which has been taken on file before the Judicial Magistrate No.III, Puducherry contending that the police has conducted partial enquiry and inspite of request to drop action had proceeded for filing of final report.

2. The learned Government Advocate (Crl.Side) appearing for the State submits that the police has forcefully acted upon both the complaints and filed final report on completion of investigation. The complaint given by this petitioners in Crime No.100 of 2022 been investigated and final report filed and same been taken on file before the Judicial Magistrate No.III, Puducherry in C.C.No.53 of 2023. The case against these petitioners been



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taken on file in C.C.No.426 of 2023.

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3. In the light of the above fact, this Criminal Original Petition is dismissed with a direction to the Judicial Magistrate No.III, Puducherry to conduct joint trial of both the cases and proceed in accordance with law. Consequently, the connected Crl.M.P., is also dismissed.

09.11.2023

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Judicial Magistrate No.III, Puducherry.

2.The Inspector of Police,
Ariyankuppam Police Station,
Pondicherry.

3.The Public Prosecutor (Puducherry),
High Court of Madras, Chennai.

Dr.G.JAYACHANDRAN, J.



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