



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2023

CORAM:

THE HONOURABLE **MR. JUSTICE K.K.RAMAKRISHNAN**

Crl.O.P.(MD) No.4247 of 2021

and

Crl.M.P(MD)No.2373 of 2021

A.Vijayakumar

...Petitioner

Vs.

1.The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
(Crime No.379 of 2020)

2.Johnson

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records on the file of the first respondent, Kaliyakkavilai Police Station, Kanyakumari District in Crime No.379 of 2020 dated 23.10.2020 and to quash the same.

For Petitioner	: Mr.S.C.Herold Singh
For R-1	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor

**ORDER**

The petitioner / Sole Accused filed this petition to quash the FIR in Crime No.379 of 2020 on the file of the Inspector of Police, Kaliyakkavilai Police Station, Kanyakumari District, wherein he is said to have committed offence under Sections 294(b), 324 and 506(ii) IPC.

2. The case of the prosecution is that on 23.10.2020, when the defacto complainant was pouring water on the newly constructing compound wall of his property by demolishing the damaged compound wall, the petitioner uttered filthy languages against the defacto complainant and attacked the left hand knee of the son of the defacto complainant with vettu kathi. When the same was questioned by the defacto complainant, the petitioner attacked the defacto complainant on his stomach. Hence, the defacto complainant preferred a complaint before the respondent police and the same was registered in Crime No. 379 of 2020 for the above said offence and to quash the same, the petitioner filed this petition.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the first respondent would



submit that the investigation in Crime No.379 of 2020 has been completed and charge sheet has been filed before the learned Judicial Magistrate No.I, Kulithurai and the same was taken on file in C.C.No.99 of 2022.

4. Recording the same, this Criminal Original Petition stands closed with liberty to the petitioner work out his remedy in the manner known to law. Consequently, connected Miscellaneous Petition stands closed.

05.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
BTR

To

- 1.The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

BTR

Crl.O.P.(MD) No.4247 of 2021
and
Crl.M.P(MD) No.3352 of 2021

05.04.2023