



Crl.O.P(MD).No.8601 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.05.2023

CORAM:

**THE HONOURABLE MRS. JUSTICE R.THARANI**

Crl.O.P(MD).No.8601 of 2023

and

Crl.M.P.(MD)No.7393 of 2023

Nandakumar

...Petitioner /A2

Vs

1. The Inspector of Police  
Alangulam Police Station,  
Tenkasi District

2. Pachaimal Perumal

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No. 53 of 2023 dated 26.02.2023 on the file of the first respondent police for the offences under sections 294(b),323,506(ii) of IPC and section 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 and quash the same as illegal as against the petitioner alone.

For Petitioner

: Mr.K.Suyambulinga Bharathi

For Respondent No. 1

: Mr.S.Manikandan  
Government Advocate (Crl. Side)



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For intervener / R2

: Mr.KR.Bharathikannan

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### **ORDER**

This petition is filed to quash the First Information Report in Crime No. 53 of 2023, on the file of the first respondent police.

2. The case of the prosecution is that on 26.02.2023 at about 8.00 am., while the defacto complainant was standing near A.P.Dheena Stores the first accused and the petitioner came to the spot in a two wheeler bearing Reg.No.TN 76 Q 0032 and demanded interest from the defacto complainant and at that time there arose a wordy quarrel in which all the accused persons abused him in filthy language and assaulted him and also threatened him with dire consequences. A case in Crime No.53 of 2023, for the offences under sections 294(b),323,506(ii) of IPC and section 3 and 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 as against the accused persons.

3. On the side of the petitioner, it is stated that the petitioner is a law graduate and he never involved in any offence as alleged by the prosecution. The defacto complainant has also filed an affidavit to that effect.



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4. The petitioner and the defacto complainant / second respondent were present before this Court and their identity were verified with their Aadhar cards. The defacto complainant filed an affidavit, which was properly attested by the counsel. The signature in the complaint and the affidavit is also verified.

5. In view of the above affidavit filed by the defacto complainant and also the representation made by the defacto complainant and his counsel, this Petition is allowed and the First Information Report in Crime No.53 of 2023, on the file of the first respondent police, is hereby quashed insofar as the petitioner is concerned. Consequently, connected Miscellaneous Petition is closed.

**04.05.2023**

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

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To

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1. The Inspector of Police  
Alangulam Police Station,  
Tenkasi District
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**R. THARANI,J.**

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