



CrI.O.P.(MD)No.11757 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.11757 of 2023

and

CrI.M.P(MD).No.9277 of 2023

K.Vilvadurai

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.

2.P.Vilvajothe

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the FIR in Crime No.87 of 2022 dated 25.10.2022 pending on the file of the first respondent for an alleged offences under Section 143, 294(b), 323, 506(i) and 379 of IPC and Section 4 of Prohibition of Harassment of Women Act and quash the same as illegal as far as the petitioner is concerned.

For Petitioner
For R1

: Mr.T.Thirumurugan
: Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to quash the Crime No. 87 of 2022, on the ground that the petitioner was not present on the date of alleged occurrence.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent police submitted that on the date of alleged occurrence, the petitioner was present in the occurrence place along with other accused and in the FIR, he was shown as 11th accused.

3. A reading of FIR shows that the first occurrence (i.e) on 25.10.2022, trouble arose between the defacto complainant's father and one Thavamurugan. Thereafter, the defacto complainant's brother attacked the above said Thavamurugan and he was admitted in the hospital. On the same day at about 1.00 p.m, the accused persons went to the defacto complainant's house and they were assaulted the defacto complainant and her husband and also stated that at the instance of the petitioner alone they were attacked them. In the above said assault, the defacto complainant and her relatives sustained injuries and 6 sovereigns gold chain of the defacto complainant's husband, was also missing.



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5. Whether the above said assault was made only at the instance of the petitioner, is a matter for investigation and after completion of investigation only, it will come to a logical end. This Court does not find any reason to quash the FIR.

6. In the result, this criminal Original Petition is dismissed with a direction to the first respondent to complete the investigation and to file final report within a period of four months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

30.06.2023

Index : Yes/No

Internet: Yes/No

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To

1.The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

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