



WEB COPY



Crl.O.P.(MD)No.20530 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.(MD)No.20530 of 2021
and
CRL.M.P.(MD)No.11699 of 2021

P.K.N.Arumugam

... Petitioner

Vs.

1.The Inspector of Police,
Chinthamanipatti Police Station,
Karur District.
(Crime No.357 of 2020)

2.Karthikeyan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying this Court, to quash the First Information Report in Crime No.357 of 2020 on the file of the first respondent police insofar as the petitioner is concerned.

For Petitioners : Mr.D.Geetha

For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to quash FIR in Crime No.357 of 2020 pending on the file of the first respondent police.



WEB COPY

2.The prosecution case is that the petitioner along with ten unknown persons trespassed into the temple namely, Varavani Sri Siddhanaadha Samedha Angala Parameswari Temple with dangerous weapons and destroyed the then existing construction work made by the devotees. Hence, the second respondent/defacto complainant made a complaint before the respondent police. Since no steps have been taken by the respondent police to register the case, he approached the learned Judicial Magistrate, Kulithalai and thereafter, a case was registered against the petitioner.

3.The learned counsel for the petitioner submits that the petitioner had started to construct the Temple only after getting necessary orders from the Commissioner, Hindu Religious and Charitable Endowments Department. But the second respondent tried to stall the construction process by raising unreasonable objections. When the petitioner questioned the same, the defacto complainant lodged the present complaint. Further, the respondent police after receiving the complaint enquired the same and on coming to know of the facts, the respondent police did not proceed with the complaint given by the second respondent.



Crl.O.P.(MD)No.20530 of 2021

4.Though the second respondent is served and his name is printed, he did not enter appearance either in person or through counsel.

5.The learned Additional Public Prosecutor appearing for the respondent police submits that after the registration of FIR, investigation has been carried out and the case has been closed as mistake of fact. RCS notice had also been sent to the second respondent/defacto complainant on 20.12.2020. He had also produced the copy of the RCS notice.

6.In view of the same, nothing survives to be adjudicated in the present petition. Accordingly, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

11.09.2023

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



Crl.O.P.(MD)No.20530 of 2021

M.NIRMAL KUMAR, J.

ta

To

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

CRL.O.P.(MD)No.20530 of 2021

11.09.2023