



Crl.O.P.No.8536 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:08.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.N.o.8536 of 2024

&

Crl.M.P.Nos.6224 & 6225 of 2024

1.Jagan

2.Arun

3.Jeeva

4.Chitra Devi

.. Petitioners

/versus/

1.The State Rep.by the Inspector of Police,
Tiruvannamalai East Police Station,
Tiruvannamalai District.

2.Palani

.. Respondents

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for records in C.C.No.107 of 2021 on the file of learned Judicial Magistrate No.II, Tiruvannamalai against the petitioners and quash the same or to pass any other suitable orders as this Court.

For Petitioners :Mr.K.T.S.Sivakumar

For Respondent :Mr.K.M.D.Muhilan
Government Advocate (Crl.Side) for R1



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ORDER

The dispute between two families is entered in exchange of attack leading to an incident on 23.01.2021 at 12.00 noon at Pudupalayam Village. The injured was taken to Tiruvannamalai Hospital and thereafter, the case in Crime No. 19 of 2021 was registered at 20.00 hours on 23.01.2021. On the same day of the incident, one Palani, who is an injured witness after admitting his son in Tiruvannamalai Hospital, at 18.00 hours, was attacked by the very same person and therefore, another complaint at Tiruvannamalai North Police Station was registered in Crime No 32 of 2021 dated 24.01.2021.

2. The learned counsel appearing for the petitioner submitted that both the alleged incidents took place in the course of same transaction and therefore, there cannot be two First Information Reports and two Final Reports.

3. On reading of the complaint, this Court finds that it is not in the course of same transaction. The first incident has took place in the village. When the injured was taken to the Government Hospital



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near OP Ward, the second incident has taken place. Both complaints were registered by two different Regional Jurisdiction Police. In both the cases, investigation have been completed and final Reports have been filed before the concerned Judicial Magistrate Courts. Therefore, the reasons stated to quash the Final Reports does not satisfy the parameter laid down by the Hon'ble Supreme Court for quashing the final report. However, taking note of the fact that the accused and the witnesses are almost same, the Chief Judicial Magistrate is directed to take note of this matter and both the cases shall take in one Court and instruct the concerned Judicial Magistrate to conduct the trial simultaneously to avoid multiplicity.

4. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

08.04.2024

Index:yes/no
Neutral Citation:yes/no
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To

- 1.The Judicial Magistrate No.II, Tiruvannamalai.
- 2.The Inspector of Police, Tiruvannamalai East Police Station,
Tiruvannamalai District.



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DR.G.JAYACHANDRAN,J.

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