



Crl.O.P.No.15696 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:05.07.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.15696 of 2024

and

Crl.M.P.No.9595 of 2024

1.Venmathi.R
2.Sukhdev D
3.Bhavana

.. Petitioners

/versus/

1.State represented by Inspector of Police,
R-11, Ramapuram Police Station,
Chennai.
Cr.No.236/2023.

2.Ulagamohan

.. Respondents

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the proceedings of the FIR in Crime No.236 of 2023, dated 13.08.2023 on the file of the 1st respondent and quash the same.

For Petitioners :Mr.R.Prem Raja Kumari

For R1 :Mr.S.Udaya Kumar
Govt.Advocate (Crl.Side)



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ORDER

The petitioners herein are the accused in Crime No.236 of 2023 registered by the first respondent police on the direction given by the Judicial Magistrate under Section 156(3) of Cr.P.C. The present petition is filed to quash the complaint of Ulagamohan on the ground that on 26.12.2023 there was an attempt to place stone and encroach upon the public road by Ulagamohan. At that time, a dispute arose between the residence of that street and Ulagamohan. When the petitioners questioned the act of aggression, the said Ulagamohan attacked Bhavana, Venmathi, Laddu devi and others. In this connection, case was registered on the same day in C.S.R.No.656 of 2022 and later First Information Report registered on 31.12.2022 for the offences under Sections 294(b), 324 of IPC and Section 4 of TNPHW Act, 2002. On completion of investigation, Final Report filed against Ulagamohan and pending in C.C.No.62 of 2023. Whiles, the said Ulagamohan with a false allegation has given a complaint before the Judicial Magistrate-I, Poonthamallee under Section 156(3) of Cr.P.C. The said complaint has been sought to be investigated



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and that has been forwarded to the respondent police by an order dated 11.07.2023. That has lead to registration of the First Information Report dated 13.08.2023 against Uma, W/o Prabhu, Venmathi, Sukhdev, Bhavana and five others.

2. Contending that a false complaint to counter blast the case in Crime No.318 of 2022 (pending trial in C.C.No.62 of 2023) been filed, the petitioners pray to quash the case in Crime No.236 of 2023.

3. The learned Government Advocate (Crl.Side) submitted that in connection with the same occurrence alleged to have been taken place on 26.12.2022, the police received two complaints one from Ulagamohan and another from Laddu Devi. Both were enquired and the complaint given by Laddu Devi is pending for filing the final report. Whereas the complaint by Ulagamohan under Section 156(3) of Cr.P.C., on the direction from the Judicial Magistrate No.1, Poonthamallee received and First Information Report registered in Crime No.236 of 2023 and it is under investigation.



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4. It is the case and case in counter. The investigation of the complaint given by Ulagamohan has been registered and investigated pursuant to the direction given by the Judicial Magistrate. Since the material to take cognizance for the offence alleged is available, the police is directed to complete the investigation and file the final report before the Court where C.C.No.62 of 2023 is pending.

5. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous Petition is closed.

05.07.2024

Index:yes/no

Neutral Citation:yes/no

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To:

- 1.The Judicial Magistrate No1, Poonthamallee.
- 2.The Inspector of Police, R-11, Ramapuram Police Station, Chennai.
- 3.The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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