



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

**CRL.OP.No.15228 of 2024
and
CRL.MP.Nos.9299 & 9300 of 2024**

1.Kumaresan
2.Gunasekaran
3.Muniyammal

... Petitioners

Vs

1.State Rep by
Sub-Inspector of Police
Orathy Police Station,
Chengalpattu District, 603001
Cr.No.299 of 2023

2.Raj

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the CC.No.184 of 2024 pending on the file of the Judicial Magistrate, Madurantakam and quash the same.

For Petitioners : Mr.P.Govindarajan

For Respondents : Mr.S.Udayakumar for R1

Government Advocate (Crl.Side)



ORDER

WEB COPY Petition filed to quash CC.No.184 of 2024 on the ground that the police has not properly investigate the case and hurriedly filed a final report ignoring the complaint given by the petitioners herein against the defacto complainant and others which has been registered in Cr.No.300 of 2023 in the same date but not investigated.

2. Learned Government Advocate (Crl.Side) appearing for the first respondent states that it is a case and case in counter. The counter case registered in FIR.No.300 of 2023 for the offence under Sections 294, 324 and 506 (2) of IPC and Section 4 of Prohibition of Harassment of Women also been investigated and final report yet to be filed.

3. Considering the nature of the complaint and materials collected, this court is of the view that this case cannot be quashed. However, the petitioners are entitled to have a joint trial of the other case pending investigation in Cr.No.300 of 2023. Hence, the respondent police is directed to file final report in Cr.No.300 of 2023 within a period of 30 days. The trial court shall take up both the cases and decide who is the aggressor since the matter involves same occurrence alleged to happen



on 22.12.2023 and decide the case on merit. Till the final report filed in Cr.No.300 of 2023, the trial court shall not proceed further in CC.No.184 of 2024. Consequently, connected miscellaneous petitions are closed.

28.06.2024

Index: Yes/No
Speaking/Non-speaking order
gv

To

- 1.The Judicial Magistrate, Madurantakam
2. The Sub-Inspector of Police
Orathy Police Station,
Chengalpattu District, 603001
Cr.No.299 of 2023
3. The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.



WEB COPY



gv

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