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Crl. O.P. No. 14667 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.Nos.14667, 19547 of 2024

and

Crl.OP.Sr.No.36134 of 2024

and

Crl.MP.Nos.8961, 11432, 11434 of 2024

and

Crl.MP.No.11032 of 2024

Velusamy

.. Petitioner
(in Crl.OP.No.14667 of 2024)

1. V.Krishnakumar
2. Loganayagi

.. Petitioners
(in Crl.OP.No.19547 of 2024)

1. Myilathal
2. Dharmalingam
3. Karthikeyani

.. Petitioners
(in Crl.OP.SRNo.19547 of

2024)

Vs.

1. The State
Rep.by the Inspector of Police,
Kottur Police Station,
Pollachi, Coimbatore District.
(Cr.No.392 of 2021)

2. Loganayagi

.. Respondents



Crl. O.P. No. 14667 of 2024

(in Crl.OP.No.14667 of 2024)

1. The State

Rep.by the Inspector of Police,
Kottur Police Station,
Pollachi, Coimbatore District.
(Cr.No.393 of 2021)

2. Dharmalingam

.. Respondents

(in Crl.OP.No.19547 of 2024)

1. The State

Rep.by the Inspector of Police,
Kottur Police Station,
Pollachi, Coimbatore District.
(Cr.No.392 of 2021)

2. Loganayaki

.. Respondents

(in Crl.OP.SR.No.36134 of 2024)

Prayer in Crl.OP.No.14667 of 2024: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records pertaining to C.C.No.380 of 2022 pending on the file of Judicial Magistrate-II, Pollachi and to quash the same.

Prayer in Crl.OP.No.19547 of 2024: Criminal Original Petition is filed under Section 528 of BNSS to quash the charge sheet against the petitioner/accused in C.C.No.382 of 2022 in Cr.No.393 of 2021 on the file of the Judicial Magistrate Court-II, Pollachi, Coimbatore District till the disposal of the above case.



Crl. O.P. No. 14667 of 2024

Prayer in Crl.OP.SR.No.36134 of 2024: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records pertaining to C.C.No.380 of 2022 pending on the file of Judicial Magistrate-II, Pollachi and to quash the same.

Crl.OP.No.14667 of 2024

For Petitioner : Ms.A.Vinupradha

For Respondents : Mr.S. Udaya Kumar
Government Advocate(Crl side)
for R1
: Mr.S.Nagarajan
for R2

Crl.OP.No.19547 of 2024

For Petitioner : S.Nagarajan

For Respondents : Mr.S. Udaya Kumar
Government Advocate(Crl side)
for R1

Crl.OP.SR.No.36134 of 2024

For Petitioner : Ms.A.Vinupradha



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COMMON ORDER

Crl.OP.No.14667 of 2024 is filed by the petitioner/A1 in C.C.No.380 of 2022 on the file of learned Judicial Magistrate-II, Pollachi.

Crl.OP.No.19547 of 2022 is filed by the petitioners/ A1 and A2 in C.C.No.382 of 2022 on the file of learned Judicial Magistrate-II, Pollachi and

Crl.OP.Sr.No.36134 of 2024 is filed by the petitioners/ A2 to A4 in C.C.No.380 of 2022 on the file of learned Judicial Magistrate-II, Pollachi.

2. Both C.C.Nos.380 of 2022 and 382 of 2022 are case and case in counter arising out of same transaction. All the above three petitions are filed to quash their respective case against them.

3. The case and the case in counter registered by the first respondent police in Cr.Nos.392 of 2021 and 393 of 2021 for offences under Sections 294b, 323 and 506(i) IPC is now sought to be quashed based on joint compromise memo filed by the parties.



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4. The back ground of these two cases is that fight between family members regarding cultivation of property, left behind by the common ancestor has led to quarrel between them and escalated into violence, leading to registration of two FIRs, based on the case and case in counter.

5. The offences are compoundable. Parties are relatives and they are ready to settle the matter. These Criminal Original petitions are filed under 482 of Cr.P.C to invoke the inherent power of this Court to quash the complaint. After reading the affidavits in support of the quash petitions filed in Crl.OP.Nos.14667, 19547 of 2024 and Crl.OP.SR.No.36134 of 2024 along with the memo of compromise filed by the respective parties.

6. This Court is of the view that the cases are pending before the learned Judicial Magistrate-II, Pollachi as C.C.380 and 382 of 2022 respectively.

7. It is appropriate for the petitioners herein to approach the learned Judicial Magistrate and file application under Section 320 of Cr.P.C for compounding the offence. If any such application is filed, the



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Judicial Magistrate shall pursue the application and pass appropriate order by compounding the offence under Section 320 of Cr.P.C

8. With the above directions, these Criminal Original Petitions are disposed of. Consequently, the connected miscellaneous petitions are closed.

06.09.2024

Vv

To

1. The Inspector of Police,
Kottur Police Station,
Pollachi, Coimbatore District.
2. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN,J.



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Vv

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