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Crl.O.P.No.23612 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23612 of 2024
& Crl.M.P.Nos.13342 & 13343 of 2024

1. Meenakshi.
2. Aniruthan.
3. Amuthavalli.

... Petitioners/Accused 1 to 3

-VS-

1. The State,
Rep. by the Inspector of Police,
S4, Nandambakkam Police Station,
Chennai – 600 089.
(Crime No.32/2023).

... Respondent/Complainant

2. C.Santhi.

... Respondent/Defacto Complainant

Prayer: Criminal Original Petitions are filed under Section 482 of Cr.P.C., to call for the records and quash the Final Report/Charge Sheet in C.C.No.615 of 2023 on the file of the Learned Judicial Magistrate-I, Alandur as against the petitioner/accused Nos.1 to 3.

For Petitioners : Mr.T.Sai Krishnan

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)



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ORDER

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The petitioner herein is the accused in C.C.No.615 of 2023 on the file of Judicial Magistrate No.1, Alandur, emanating from the complaint given by one Mrs.C.Santhi.

2. The petition to quash the said final report is on the ground that Mrs.C.Santhi alleges that these petitioners had picked quarrel during the Shivaratri when she was freely distributing food.

3. The Learned Counsel for the petitioners states that it is a false complaint given belatedly to cover up the act of theft of jewels. Further, he submits that the *defacto* complainant and the 1st petitioner are sisters. The property dispute has been given a criminal colour. The belated complaint is only to counterblast the 1st complaint against the *defacto* complainant/C.Santhi registered in Crime No.31 of 2023.

4. The Learned Government Advocate appearing for the 1st respondent states that the investigation in both the complaints in Crime Nos.31 & 32 of 2023 was completed and final report filed. The Judicial Magistrate has



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taken both the complaints on file and numbered as C.C.Nos.613 & 615 of 2024. Since the statement of witnesses discloses a commission of cognizable offence, the case need not be quashed.

5. The statements of witnesses indicate that the matter occurred in the same transaction wherein the fight between the sister and brother has let to registration of two complaints. Since the final report filed in both cases and taken cognizance by the Judicial Magistrate No.1, Alandur, it is appropriate that both cases be tried together by the same Magistrate and be decided.

6. The Learned Counsel for the petitioners submits that being sisters, there is possibility of amicable settlement of the issue. If the parties arrive at any settlement, it is open for him to approach the trial Court and file appropriate petition before the Judicial Magistrate and seek remedy.

7. With this observation, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

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Index : Yes/No
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To:-

1. The Judicial Magistrate-I, Alandur.
2. The Inspector of Police, S4, Nandambakkam Police Station, Chennai – 600 089.
3. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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