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Crl.O.P.No.23080 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.23080 of 2023

and

Crl.M.P.No.15746 of 2024

&

Crl.M.P.No.16179 of 2023

Latha

... Petitioner

Vs.

1. Union Territory of Puducherry,
Represented by
The Inspector of Police,
CID Police Station,
Iyyanar Koil Street,
Iyyanar Nagar,
Orleanpet,
Puducherry.

2. Nadarassin Ramesh

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records of the impugned First Information Report dated 06.05.2023 in Crime No.7 of 2023 on the file of the first respondent police for the offences alleged to have committed under Sections 34 & 420 of IPC and quash the same.



CrI.O.P.No.23080 of 2023

For Petitioner : Mr.P.Dinesh Kumar
For R1 : Mr.K.S.Mohandoss
Additional Public Prosecutor (P)
Assisted by
Mrs.N.Danalaltchumy,
Government Advocate
For R2 : Mr.K.Sasindran

ORDER

This Criminal Original Petition has been filed to call for the records of the impugned First Information Report dated 06.05.2023 in Crime No.7 of 2023 on the file of the first respondent police for the offences alleged to have committed under Sections 34 & 420 of IPC and quash the same.

2. Heard the learned counsel appearing on behalf of the petitioner, the learned Additional Public Prosecutor appearing for the official respondent and the learned counsel appearing on behalf of the private respondent and perused the materials available on record.



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3. On a reading of the F.I.R, it is seen that the dispute between the private parties is civil in nature. The second respondent instead of approaching the civil court, has filed the criminal complaint. Moreover, the respondent police has also registered the case by giving criminal colour to the civil dispute. Hence the F.I.R registered in Crime No.7 of 2023 on the file of the first respondent police is hereby quashed.

4. In view of the above, the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed. However, the parties are at liberty to workout their remedy before the competent civil forum.

13.11.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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mfa

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