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Crl.O.P.(MD)No.884 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) No.884 of 2022

and

Crl.M.P.(MD).Nos.620 & 621 of 2022

1.M.Pandi @ Muthupandi

2.V.Ravi

3.N.Vijayakumar

4.S.Naveen Nagendrasasikumar

5.N.Senthilnathan

6.N.Nithya

... Petitioners

Vs.

1.The State through
The Sub Inspector of Police,
Batagundu Police Station,
Dindigul District.

2.P.Krishnamoorthy

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in connection with the impugned charge sheet in C.C.No.144 of 2021 pending on the file of the learned Judicial Magistrate, Nilakottai, Dindigul, as against the petitioners.

For petitioners : Ms.P.Krishnaveni

For R-1 : Mr.S.Manikandan,
Government Advocate
(Criminal Side)

For R-2 : Mr.K.Ragatheesh Kumar,
for M/s.Isaac Chambers



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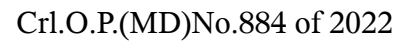


ORDER

This petition has been filed seeking to quash the proceedings in C.C.No.144 of 2021 pending on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District.

2. The case of the prosecution is that the second respondent / *defacto* complainant is the Secretary of the First Step Public School. It is alleged that due to money dispute between the petitioners and the second respondent / *defacto* complainant, the petitioners herein abused the second respondent in filthy language and attacked him and damaged the properties of the School. Hence, the second respondent made a complaint before the first respondent Police and the first respondent Police registered a case in Crime No.217 of 2021 against the petitioners and the respondent Police conducted the investigation and on completion of investigation, the charge sheet has been filed before the learned Judicial Magistrate, Nilakottai, Dindigul District and the learned Judicial Magistrate has taken cognizance in C.C.No.144 of 2021 for the alleged offence punishable under Sections 147, 148, 447, 427, 294(b) 506(2) and 114 IPC.

3. The learned counsel appearing for the petitioners would submit that the petitioners are no way connected with the said occurrence



has been attempting to give civil dispute a criminal colour.

dismissal of the petition.

respondent / defacto complainant.

reference in this regard can be made to the decision of the Hon'ble Apex



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7. For the reasons aforesaid, this Court finds no ground or scope to quash C.C.No.144 of 2021, pending on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

8. At this juncture, the learned counsel appearing for the petitioners would submit that this Court by considering the age of the petitioners may dispense with the personal appearance of them before the court below. Taking into consideration the request as made by the learned counsel for the petitioners, the appearance of the petitioners before the trial court is dispensed with except for their appearance for the purpose of receiving the copy of the proceedings u/s 207 Cr.P.C., framing of charges, questioning under Section 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioners is necessary, the trial court, at its wisdom, shall direct their appearance on those days.

31.01.2024

Index : Yes/No

Internet : Yes/No

TSG

<https://www.mhc.tn.gov.in/>



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To

- 1.The Judicial Magistrate, Nilakottai,
Dindigul District.
- 2.The Sub Inspector of Police,
Batagundu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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