



CrI.O.P.(MD)No.3872 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD) No.3872 of 2024 and
CrI.MP(MD) Nos.3071 and 3072 of 2024

1. Sathaiah @ Raja
2. Ayyappan
3. Mallika
4. Latha

... Petitioners

Vs

- 1.The Sub Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
Crime No.252 of 2023.

- 2.Karuppaiah

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the case in C.C No. 203 of 2023 dt 24.06.2023 on the file of the Judicial Magistrate, Aranthangi, Pudukkottai District and quash the same.

For Petitioners
For R1

: Mr.S.Sundarapandian
: Mr.P.Kottaichamy
Government Advocate(CrI.side)



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ORDER

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This Criminal Original Petition is filed to quash the proceedings in C.C No. 203 of 2023, dated 24.06.2023, on the file of the Judicial Magistrate Court, Aranthangi, Pudukkottai District.

2.The case of the petitioners is that on 02.05.2023, the petitioners have intimidated and assaulted the defacto complainant and caused injuries to him. Hence, a complaint has been lodged by the defacto complainant, based on which, a case in Crime No.252 of 2023 has been registered. After completion of investigation a final report has been filed and the same was taken on file in CC NO.203 of 2023 by the learned Judicial Magistrate, Aranthangi, Pudukkottai District.

3.The learned counsel appearing for the petitioners submits that there is a civil dispute between the petitioners and the defacto complainant and these petitioners have obtained a decree in favour of them in O.S.No.122 of 1996, which is also confirmed in AS No.50 of 2000. Since the petitioners have obtained a decree, the defacto complainant has assaulted the petitioners, for which, the petitioners have



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lodge a complaint as against the defacto complainant and a case in Crime No.13 of 2020, has been registered as against the defacto complainant. According to the petitioners, another incident was took place on 02.04.2020, for which, a case in Crime No.60 of 2020 has been registered on 22.04.2023. While so, in order to escape from these cases, the defacto complainant has foisted a false case as against this petitioners as if there was an occurrence on 02.05.2023. According to the learned counsel for the petitioner, A1 was working in a Private Company at Dindivanam and he has taken a CCTV footage from his Company and produced the same before the respondent police. However, the respondent police has filed the final report in a mechanical manner without finding the truth.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submits that there are two eye witnesses in this case. That apart, the Doctor, who has treated the injured has also given his statement. Based on the statement of the Doctor, the final report has been filed as against these petitioners.



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5.This Court considered the rival submissions made and also

perused the materials placed on record.

6.Though the petitioners have raised several grounds, this Court is of the opinion that it can be appreciated only during the trial. Therefore, this Court is not inclined to entertain this petition and accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioners to raise all these grounds before the trial Court, during trial. Consequently, connected miscellaneous petitions are closed.

03.07.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn

To

1.The Sub Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
Crl.OP(MD) No.3872 of 2024 and
Crl.MP(MD) Nos.3071 and 3072 of 2024

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