



WEB COPY



Crl.O.P.(MD)No.14080 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.14080 of 2022

and

Crl.M.P.(MD).No.9052 of 2022

1.M.Krishnan

2.K.Navamaniammal

3.K.Mahalingam

... Petitioners

Vs.

1.State represented by
the Inspector of Police,
Kannivadi Police Station,
Dindigul District.
(Crime No.29 of 2022)

2.A.Velmurugan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the case in Crime No.29 of 2022 on the file of the first respondent dated 29.01.2022 and quash the same insofar as the petitioners are concerned.

For petitioners

: Mr.N.Marimuthu
for Mr.A.Chandrakumar

For R-1

: Mr.B.Nambiselvan,
Additional Public Prosecutor



WEB COPY

Crl.O.P.(MD)No.14080 of 2022



ORDER

This Criminal Original Petition has been filed seeking to quash FIR in Crime No.29 of 2022 for the offence punishable under Sections 143, 447, 427 and 506(i) IPC on the file of the first respondent Police insofar as the petitioners.

2. The learned counsel appearing for the petitioners would submit that the second respondent herein is said to have entered into a sale agreement with the petitioners herein on 08.02.2021. Initially, the second respondent has paid a sum of Rs.2,00,000/- as advance and as per agreement, he agreed to pay the balance amount within three months. But, the petitioners refused to execute the sale deed and trespassed into his land. Due to which, a wordy quarrel arose between them and a case and case in counter came to be registered before the respondent Police. Challenging the case filed by the respondent Police against the petitioners herein, the present petition has been filed. He would further submit that in respect of counter case, the respondent Police has to necessarily follow Clause 566(ii) of the Police Standing Orders and this Court may issue a direction to the respondent Police to follow the procedure contemplated under 566(ii) of the Police Standing Orders.



Crl.O.P.(MD)No.14080 of 2022

3. The learned Additional Public Prosecutor appearing for the respondent Police would submit that this Court may issue a direction to the respondent Police to follow the procedure contemplated under Clause 566(ii) of the Police Standing Orders.

4. In view of the above, this Court is inclined to grant permission to the petitioners to produce all necessary documents before the Investigating Officer and on such production, the Investigating Officer is directed to follow the procedure contemplated under Clause 566(ii) of the Police Standing Orders and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

5. Accordingly, the Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

12.03.2024

Index : Yes/No
Internet : Yes/No
TSG



CrI.O.P.(MD)No.14080 of 2022

To

1. The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.14080 of 2022

M.DHANDAPANI. J.

TSG

CrI.O.P.(MD)No.14080 of 2022

12.03.2024