



Crl.O.P.(MD)Nos.14418 of 2023 and 16282 of 2024

Crl.MP(MD)Nos.14418 of 2023 and 16282 of 2024

N.ANAND VENKATESH, J

The learned counsel for the petitioners brought to the notice of this Court that the counsel for the petitioners in Crl.OP(MD).Nos.14418 of 2023 has been inadvertently typed as Mr.M.Ramu instead of Mr.S.P.Veerapandi. Hence, these matters have been listed today under the caption “for being mentioned”.

2. Registry is directed to carry out the above said correction in the order dated 18.12.2024 in Crl.OP(MD).No.14418 of 2023 and issue fresh order copy.

24.03.2025

KP



Crl.O.P.(MD)Nos.14418 of 2023 and 16282 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2024

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) Nos.14418 of 2023 and 16282 of 2024

and

Crl.M.P.(MD) Nos.11348 and 11349 of 2023, 10260 and 10258 of 2024

Crl.O.P.(MD) No.14418 of 2023

1.Karpagakani

2.Devakaruvammal

3.Lavanya

4.Ponmadathi

... Petitioners

Vs.

1.The Inspector of Police,
Sankarankovil Taluk Police Station,
Tenkasi District.
(Crime No.83/2020).

2.Susila

.... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.214 of 2022 on the file of the learned Judicial Magistrate, Sankarankovil and quash the same.

2/8



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Crl.O.P.(MD)Nos.14418 of 2023 and 16282 of 2024

For Petitioner : Mr.M.Ramu
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl Side)
for R1
Mr.B.Azhagesh for R2

Crl.O.P.(MD) No.16282 of 2024

1.Susila
2.Sankaralingam
3.Valliammal
4.Boopathy
5.Manimehalai
6.Karthika

... Petitioners

Vs.

1.The Inspector of Police,
Sankarankovil Taluk Police Station,
Tenkasi District.

2.Anantharaj Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in S.C.No.145 of 2022 on the file of the Sub-Court, Sankarankovil and quash the same.

For Petitioner : Mr.VR.Shanmuganathan

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl Side)
for R1



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COMMON ORDER

These petitions have been filed seeking to quash the proceedings in S.C.No.145 of 2022 pending on the file of the Sub-Court, Sankarankovil and C.C.No.214 of 2022, on the file of the learned Judicial Magistrate, Sankarankovil.

2.Heard the learned counsel for the petitioner, the learned Government Advocate appearing on behalf of the first respondent and the learned counsel appearing for the second respondent.

3.In the instant case, there was a previous enmity between the parties. On the date of occurrence, both the parties had attacked each other and as a result, for the same incident, two FIRs came to be registered in Crime Nos.82 and 83 of 2020. On completion of investigation, Crime No.82 of 2020 resulted in S.C.No.145 of 2022. Insofar as Crime No.83 of 2020, it resulted in C.C.No.214 of 2022 pending on the file of the learned Judicial Magistrate, Sankarankovil.



Crl.O.P.(MD)Nos.14418 of 2023 and 16282 of 2024

4.In the considered view of this Court, the entire dispute had taken place in the spur of the moment considering the fact that both the parties had a previous enmity. When this Court specifically asked the counsel appearing in both the cases as to whether this Court can proceed to quash both the proceedings in order to bring a final settlement, both counsels submitted that in the interest of the parties, any orders can be passed by this Court.

5.In the considered view of this Court, if the trial is conducted in this case, then the case and counter-case has to go before the same trial Court and the trial must be conducted in line of the Full Bench in *T.Balaji and another v. The State*, reported in *2024-2-L.W.(Crl.)175*.

6.Both the parties have now stated that both the proceedings can be quashed and thereby, the entire criminal proceedings can be brought to an end.

7.In the light of the above stand taken by both sides and



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after considering the submissions made on either side, this Court is inclined to exercise its jurisdiction under Section 482 of Cr.P.C. to quash the proceedings in S.C.No.145 of 2022 on the file of the Sub-Court, Sankarankovil and C.C.No.214 of 2022 on the file of the learned Judicial Magistrate, Sankarankovil and the same is quashed in its entirety for all the accused persons.

8.In the result, these Criminal Original Petitions stand allowed. Consequently, connected miscellaneous petitions are closed.

18.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PKN

To

- 1.The Inspector of Police,
Sankarankovil Taluk Police Station,
Tenkasi District.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court.



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Dated: 18.12.2024