



Crl.O.P.(MD)No.15823 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.03.2024**

CORAM:

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

Crl.O.P.(MD) No.15823 of 2022

and

Crl.M.P.(MD).No.10456 of 2022

Sasikumar

... Petitioner

Vs.

1.The State represented by
the Inspector of Police,
Samayanallur Police Station,
Madurai District.

2.Boominathan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records connected with the FIR in Crime No.85 of 2022 on the file of the first respondent and quash the same as illegal as against the petitioner.

For petitioner

: Mr.K.Navaneetha Raja
for Mr.A.Samson

For R-1

: Mr.B.Nambiselvan,
Additional Government Pleader



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Crl.O.P.(MD)No.15823 of 2022

ORDER

This Criminal Original Petition has been filed seeking to quash FIR in Crime No.85 of 2022 for the offence punishable under Sections 294(b) and 506(i) IPC on the file of the first respondent against the petitioner herein.

2. The learned counsel appearing for the petitioner would submit that there was a civil dispute between the petitioner and the *defacto* complainant, due to which, the *defacto* complainant sent a legal notice to the petitioner on 22.12.2021 and asked for share in the above mentioned property and on 15.02.2022, the petitioner sent a detailed reply through his Advocate. He would further submit that Accused No.2 has allegedly threatened the defacto complainant and sent abusive messages through the whatsapp. He would further submit that there is no overtact against the petitioner and the petitioner is no way connected with the said occurrence and the present case is purely a civil dispute and the second respondent has been attempting to give civil dispute a criminal colour.



3. The learned counsel appearing for the second respondent would submit that at the instigation of Accused No.1, the Accused No.2 has sent abusive messages in the Whatsapp to the defacto complainant and in fact, there is a legal notice exchanged between the petitioner and the second respondent.

4. At this juncture, the learned counsel appearing for the petitioner would submit that this Court may issue a direction to the respondent Police to conclude the investigation after providing an opportunity to the petitioner.

5. In view of the above, this Court directs the first respondent Police to conclude the investigation in Crime No.85 of 2022 after providing an opportunity to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order and after completing the process, if the respondent Police satisfied that there is offence against the petitioner, he is directed to file a charge sheet before the concerned Court and if the respondent Police satisfied that there is no offence against the petitioner, he is directed to close the complaint.



Crl.O.P.(MD)No.15823 of 2022

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

13.03.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

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



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CrI.O.P.(MD)No.15823 of 2022

M.DHANDAPANI. J.

TSG

CrI.O.P.(MD)No.15823 of 2022

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