



Crl.O.P.(MD)No.16383 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.16383 of 2022

and

Crl.M.P.(MD)No.10897 of 2022

- 1.Palanisamy
- 2.Vellaisamy
- 3.Karuppaiah
- 4.Rasu
- 5.Selvaraj
- 6.Adaikan
- 7.Thangapandi
- 8.Pitchaimani
- 9.Muthukumar @ Muthurasu
- 10.Meenakshi
- 11.Pothumani @ Ponnumani
- 12.Malliga



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13.Sembayee

14.Anjalai

15.Murugesan

16.Velusamy

17.Valli

18.Gomathi

19.Chinnammal (Kavitha)

20.Saroja @ Ponnumani

21.Veerammal

22.Chellakannu

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
Puthanatham Police Station,
Puthanatham, Marungapuri Taluk,
Trichy District.
(Crime No.106 of 2022)

2.Semban

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to FIR in Crime No.106 of 2022 on the file of the first respondent and quash the same insofar as the petitioners are concerned.



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For Petitioners : Mr.B.Prahalad Ravi
For R1 : Mr.B.Nambiselvan,
Additional Public Prosecutor.
For R2 : Mr.T.Vadivelan

ORDER

This Criminal Original Petition has been filed to quash FIR in Crime No.106 of 2022 on the file of the first respondent Police.

2.The case of the prosecution is that due to civil dispute, the accused persons trespassed into the property and damaged the boundary stones, fence and pipeline, worth about Rs.47,000/-. They also threatened the second respondent with dire consequences. Hence, the second respondent filed a complaint before the first respondent, based on which, the first respondent registered FIR in Cr.No.106 of 2022 for the offences punishable under Sections 147, 148, 447, 427, 506(ii) IPC. Challenging the same, the present petition has been filed by the petitioners.



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3.The learned counsel appearing for the petitioners submitted that this is a pure civil dispute and civil suits also pending between the parties, for which, the second respondent filed a false complaint. However, this Court may permit the petitioners to produce necessary documents with regard to the civil suits in order to enable the first respondent Police to conduct the proper investigation in the manner known to law.

4.In view of the fair submission made by the learned counsel for the petitioners, this Court directs the petitioners to appear and produce the relevant documents before the first respondent Police. Thereafter, the first respondent Police shall conduct investigation in Cr.No.106 of 2022 and complete the same in the manner known to law, within a period of six weeks from the date of receipt of a copy of this order.

5.In the result, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

06.03.2024

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To

- 1.The Inspector of Police,
Puthanatham Police Station,
Puthanatham, Marungapuri Taluk,
Trichy District.

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



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M.DHANDAPANI,J.

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