



WEB COPY



Crl.O.P.(MD)No.17122 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.03.2024**

CORAM:

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

Crl.O.P.(MD) No.17122 of 2022
and
Crl.M.P.(MD).No.11509 of 2022

1.Duraiyan
2.Ayyar @ Vignesh
3.Revathi
4.Radhiga
5.Rajesh ... Petitioners

Vs.

1.The State represented by
The Inspector of Police,
Illupur Police Station,
Ramanathapuram District.
2.Anusiya ...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in Crime No.185 of 2022 dated 08.07.2022 on the file of the first respondent and quash the same.

For petitioners : Mr.B.Mahendrarajan
For R-1 : Mr.B.Nambiselvan
Additional Public Prosecutor
(Criminal Side)



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ORDER

This Criminal Original Petition has been filed seeking to quash FIR in Crime No.185 of 2022 on the file of the first respondent Police against the petitioners.

2. The learned counsel appearing for the petitioners would submit that there was a land dispute between the petitioners and the defacto complainant, due to which, a wordy quarrel arouse between them and they attacked each other and a case and case in counter came to be registered before the first respondent Police. Challenging the case filed by the first 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 Clause 566(ii) of the Police Standing Orders and pass appropriate orders in terms of the Order passed by this Court in WP.(MD).No.15095 of 2020, dated 31.07.2023.

3. The learned Additional Public Prosecutor appearing for the first respondent Police would submit that this Court may issue a



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direction to the first 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 in terms of the order passed by this Court in WP.(MD).No.15095 of 2020, dated 31.07.2023, 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, connected miscellaneous petition is closed.

08.03.2024

Index : Yes/No
Internet : Yes/No
ssb



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To

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



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M.DHANDAPANI. J.

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