



Crl.O.P.(MD)No.16949 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.16949 of 2022

and

Crl.M.P.(MD)No.11369 of 2022

1.Sankar @ Sankarapandian

2.Ravi @ Ravichandran

... Petitioners

Vs.

1.State rep.by

The Inspector of Police,
Valandur Police Station,
Madurai District.
In Crime No.63 of 2022

2.Veeraragavan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connection with First Information Report in Crime No.63 of 2022 on the file of the first respondent police and quash the same as against the petitioners herein.

For Petitioners : Mr.R.Vignesh

For R1 : Mr.B.Nambiselvan,
Additional Public Prosecutor.

For R2 : Mr.J.Senthil Kumaraiah



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ORDER

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This Criminal Original Petition has been filed to quash the first information report in Crime No.63 of 2022 pending on the file of the first respondent Police.

2.The case of the prosecution is that there was a dispute between the parties with regard to the worship in the temple, due to which, the accused persons attacked the defacto complainant and others and also abused them in filthy language. Hence, the second respondent filed a complaint, based on which, a case in Cr.No.63 of 2022 was registered for the offence under Sections 147, 148, 294(b), 323 and 506(ii) IPC. Challenging the same, the present petition came to be filed.

3.The learned counsel appearing for the petitioners submitted that the petitioners herein are brothers and they did not commit any offence as alleged by the prosecution and there is no specific overt act as against them. However, he further submitted that the petitioners are ready to co-operate with the investigation and this Court may permit the petitioners to produce necessary documents before the Investigating Officer in order to disprove the prosecution case.



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4. The learned Additional Public Prosecutor appearing for the first respondent Police submitted that there was a dispute between the parties with regard to the worship in the temple, due to which, a case and counter case came to be registered.

5. In view of the fair submission made by the learned counsel for the petitioners, this Court directs the petitioners to appear and produce the necessary documents before the first respondent Police. Thereafter, the first respondent Police shall conduct investigation in the present case as well as in the counter case, as per Clause 566(ii) of the Police Standing Orders and complete the same in the manner known to law.

6. In the result, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

25.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns



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M.DHANDAPANI,J.

gns

To

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

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