



CrI.O.P.(MD)No.22411 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.(MD)No.22411 of 2022

and

CrI.M.P.(MD)No.15833 of 2022

1.Ponnusamy

2.Malayammal

3.Marisamy

4.Marimuthu @ Muthumadan

... Petitioners

Vs.

1.The Inspector of Police,
KV Nallur Police Station,
Thenkasi District.
(Ref: Crime No.408 of 2022)

2.Kaliammal

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the First Information Report in Crime No.408 of 2022 dated 09.10.2022 on the file of the Inspector of Police, KV Nallur Police Station, Thenkasi



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District registered for the offences under Sections 294(b), 323 & 506(i) of the Indian Penal Code.

For Petitioners : Mr.R.Velmurugan

For R1 : Mr.S.Manikandan,
Government Advocate (Crl. Side)

For R2 : No Appearance

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.408 of 2022 dated 09.10.2022 on the file of the Inspector of Police, KV Nallur Police Station, Thenkasi District registered for the offences under Sections 294(b), 323 & 506(i) of the Indian Penal Code.

2.The case of the prosecution is that the petitioners and the second respondent are neighbours. On 06.10.2022, the first petitioner was cutting thorn plants and the same was questioned by the second



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respondent. On the next day, ie., 07.10.2022, the accused persons abused the second respondent in filthy language, assaulted and also threatened her . Hence, the defacto complainant filed a complaint, based on which, a case in Cr.No.408 of 2022 came to be registered for the offences under Sections 294(b), 323 & 506(i) IPC. Challenging the same, the present petition came to be filed.

3.Today, when the matter is taken up for hearing, the learned Government Advocate(Crl.side) appearing for the first respondent Police submitted that during pendency of this petition, the Investigating Officer conducted investigation and wound certificate and Doctor's evidence are also available. He further submitted that the investigation in this case has been completed and charge sheet also made ready.

4.At this juncture, the learned counsel for the petitioners submitted that this Court may permit the petitioners to canvass the grounds, which are raised in this petition, before the trial Court to prove the innocence of the petitioners.



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5.Considering the facts and circumstances of the case and considering the fact that wound certificate and Doctor evidence are available and charge sheet also made ready, this Court finds no merit to quash the impugned FIR. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed. The petitioners are at liberty to workout their remedy in the manner known to law.

25.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Inspector of Police,
KV Nallur Police Station,
Thenkasi District.

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



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M.DHANDAPANI,J.

gns

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