



Crl.O.P.(MD)No.162 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.162 of 2023

and

Crl.M.P.(MD)No.117 of 2023

1.Ashokkumar
2.Manojkumar
3.Parani Geetha
4.Aruna Devi
5.Gnanammal

... Petitioners/A1 to A5
('A' Party)

vs.

1.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

... 1st Respondent/Complainant

2.The Sub Inspector of Police,
Mrs.Muniyammal
(Working during the relevant period
At Uthamapalayam Police Station),
Theni District.

... 2nd Respondent/Defacto Complainant

3.Manikandan
4.Punuthai
6.Siva
7.Ram Selva
8.Vellaisamy
9.Madathi

... 3 to 9 Respondents/A6 to A11 ('B' Party)



Crl.O.P.(MD)No.162 of 2023

Prayer:- Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.1788 of 2020 on the file of the first respondent and quash the same insofar as the petitioners/A1 to A5 concerned.

For Petitioner : Mr.M.Shakul Hameed

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R1 & R2

ORDER

The Criminal Original Petition is filed to quash the First Information Report in Crime No.1788 of 2020 on the file of the first respondent, insofar as the petitioners/A1 to A5 are concerned.

2.It is seen that since both the parties were claiming rights in respect of the land in question inspite of registering a Crime No.1781 of 2020, still there was a scramble for possession and there was a likelihood of breach of peace, the present case was suo-motu registered by the investigating officer. It is stated that though a request was made to the RDO in respect of the further proceedings, no further proceedings were proceeded with.



Crl.O.P.(MD)No.162 of 2023

WEB COPY

3.It can be seen that the FIR itself was registered because there was a likelihood of breach of peace and the same happened in the year 2020.

4.In view of the lapse of time, noting further survives and accordingly, the criminal original petition is allowed and the FIR in Crime No.1788 of 2020 is quashed. Consequently, connected miscellaneous petition is closed.

05.08.2024

NCC : Yes / No
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To

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



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Crl.O.P.(MD)No.162 of 2023

D.BHARATHA CHAKRAVARTHY, J.

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