



Crl.O.P.(MD)No.277 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2024

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CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.277 of 2023

and

Crl.M.P.(MD).No.206 of 2023

1.Mary

2.Vincent

3.Jelastin Mary @ Sahaya Jeleswin Mary

4.Kala @ Mary Kala

... Petitioners

Vs.

1.The Inspector of Police,
Colachel Police Station,
Kanayakumari District.
Crime No.207 of 2022

2.Sasikumar

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case registered in FIR in Crime No.207 of 2022 on the file of the first respondent and quash the same insofar as these petitioners are concerned.

For Petitioners

: Mr.G.Anto Prince

For R-1

: Mr.S.Ravi,
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.207 of 2022 pending investigation on the file of the first respondent Police.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the first respondent Police submitted that there was a case and counter case, for which, the First Information Report was registered in Crime No.204 of 2022 and Crime No.207 of 2022. Insofar as Crime No.204 of 2022 is concerned, it was based on the complaint given on the side of the petitioners, which resulted in a final report filed before the learned Judicial Magistrate, Eraniel and it was taken on file in S.T.C.No.885 of 2022. Insofar as Crime No.207 of 2022 is concerned, the First Information Report was registered as against six accused persons. Ultimately, it was found that the case was made out as against Accused Nos.1 to 4. Accordingly, the names of Accused Nos.5 and 6 were deleted and a final report was filed. The matter is now pending in Crl.M.P.No.2900 of 2023 before the learned Judicial Magistrate, Eraniel, insofar as the deletion of Accused Nos.5 and 6 are concerned.



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3. In the light of the above development and also considering the fact that the case in hand involves a case and counter case, there is no scope to quash the First Information Report. It is left open to the petitioners to raise all the grounds before the Court below and the same will be dealt with on its own merits and in accordance with law.

4. This Criminal Original Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed.

04.11.2024

Index : Yes/No

Internet : Yes/No

TSG

To

1.The Inspector of Police,
Colachel Police Station,
Kanayakumari District.

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



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N.ANAND VENKATESH. J.

TSG

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