



Crl.O.P.No.4398 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.4398 of 2023
and Crl.M.P.Nos.2781 and 2782 of 2023

1. Lakshmi
2. Anandan
3. Sridhar
4. Suresh

... Petitioners

Vs

- 1.The State represented by its
The Inspector of Police,
M2, Madhavaram Milk Colony,
Chennai 68.

- 2.Vasanthi

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., pleaded to call for records and quash P.R.C.No.74 of 2020, on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram as illegal, incompetent, without jurisdiction.

For Petitioners	: Mr.M.Muruganantham
For R1	: Mr.R.Vinothraja
	Government Advocate (Crl. Side)



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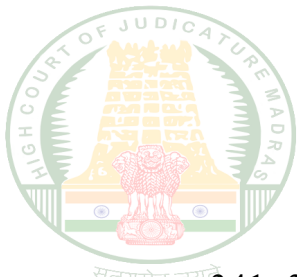
ORDER

This Criminal Original Petition has been filed to quash the proceeding in P.R.C.No.74 of 2020, on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the first respondent and perused the materials available on record.

3. The case of the prosecution is that on 12.02.2012, while the second respondent was returning from her relatives house, the petitioners had intercepted her on the road and at knife point, snatched her purse containing Rs.470/-. They also pelted stones at members of the public, who questioned their actions. Hence, the complaint.

4. On receipt of the complaint, the first respondent registered FIR in Crime No.182 of 2012, for the offences punishable under Sections 294(b),



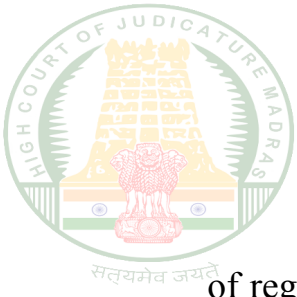
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341, 336, 427, 506(ii) and 392 of IPC. After completion of investigation, the first respondent filed a final report and the same has been taken cognizance in P.R.C.No.74 of 2020, on the file of the District Munsif cum Judicial Magistrate, Madhavaram for the offences punishable under Sections 294(b), 341, 336, 427, 506(ii), 392 read with Section 397 of IPC.

5. A perusal of records revealed that there is a civil dispute pending between the petitioners and second respondent. It is seen that the second respondent had borrowed money from the petitioners and failed to repay the said loan. When the petitioners enquired about the loan and demanded repayment, the second respondent lodged the present complaint. That apart, the crime was registered in the year 2012. After a period of eight years, the first respondent had completed the investigation and filed a final report. Now, the second respondent also died.

6. Though the first respondent filed a final report after a lapse of eight years from the date of registration of the FIR, there is absolutely no explanation for the inordinate delay. After a period of 13 years from the date



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of registration of the FIR, the petitioners cannot be subjected to the ordeal of trial, particularly when the second respondent has also passed away. That apart, the entire dispute arises out of a money transaction between the petitioners and the second respondent. When the petitioners demanded repayment of loan, the second respondent lodged a complaint.

7. In view of the above, the entire proceeding is nothing but abuse of process of law and is liable to be quashed. Accordingly, the proceeding in P.R.C.No.74 of 2020, on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram, is hereby quashed.

8. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous petitions are closed.

24.03.2025

Index: Yes/No
Speaking Order: Yes/No
mn



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To

- 1.The District Munsif cum Judicial Magistrate,
Madhavaram.
- 2.The Inspector of Police,
M2, Madhavaram Milk Colony,
Chennai 68.
- 3.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN,J.

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