



Crl.O.P.No.8668 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

CORAM:

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

Crl.O.P.No.8668 of 2025
and Crl.M.P.No.5696 of 2025

Sivakumari

... Petitioner

VS.

1. The State Rep.
by the Inspector of Police,
Valathy Police Station,
Villupuram District.

2. Sambasivam

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in connection with the Final Report in F.R.No.223/2021 dated 02.07.2021 in crime No.270/2021 on the file of the respondent in Crl.M.P.No.101/2025 dated 14.02.2025 pending on the file of the learned Judicial Magistrate, Gingee, Villupuram District and quash the same.

For Petitioner : Mr.E.Kannadasan

For R1 : Mr.A.Gopinath
Govt.Advocate (Crl.side)



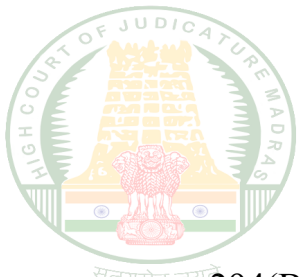
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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in Crl.M.P.No.101/2025 on the file of the learned Judicial Magistrate, Gingee, Villupuram District thereby having been taken cognizance for the offences under Sections 147, 148, 294(B) 323, 324, 506(I) AND 352 of IPC, as against the petitioner.

2. The case of the prosecution is that there was a previous enmity between the petitioner's father family and the 2nd respondent family regarding the land dispute for the past 20 years, while so, on 28.05.2021 at about 10.00 a.m. when the 2nd respondent's father questioned about cutting of standing trees, at that time, A1 along with other accused joined together abused him with filthy language and A1 attacked his father with his hand, when he try to save his father and he was also assaulted by A1 to A3 with hands and legs and his mother Lakshmiammal also beaten by A4 and A5 with hands and legs and A4 caused injury on his right hand with knife and threatened. On the basis of the above said allegation, the respondent police registered the complaint against the petitioner and others for the offences under Sections 147, 148,



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294(B) 323, 324, 506(I) AND 352 of IPC, in Crime No.270 of 2021

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3. Heard the learned Counsel appearing on either side and perused the materials placed on record.

4. A perusal of the records would show that the petitioner is arrayed as 5th accused in Crime.No.271 of 2021. It is the counter complaint alleged by the 2nd respondent in so far as the complaint alleged by the petitioner, the second respondent is facing trial in C.C.No.2 of 2023 on the file of the learned Judicial Magistrate, Gingee, Villupuram District. In so far as Crime No.270 of 2021, the first respondent had completed the investigation and filed the final report and the same is pending for taking cognizance offence since the learned Judicial Magistrate, Gingee issued notice dated 14.02.2025 to the petitioner to make objection if any.

5. In view of the above, the petitioner has also raised the objection while registering the final report, this Court cannot entertain the petition to quash the proceedings in Crime No.270 of 2021 on the file of the



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respondent in Crl.M.P.No.101 of 2021 dated 14.02.2025. However, the learned Judicial Magistrate is directed to consider the objection raised by the petitioner before taking cognizance in the final report filed by the first respondent in accordance with law and pass appropriate orders on merits.

This Criminal Original Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

.25.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kkd

Note: Issue Order Copy on 28.03.2025

To

1. The Inspector of Police,
Valathy Police Station,
Villupuram District.



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2. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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