



CrI.O.P.(MD)No.19592 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2025

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.(MD) No.19592 of 2022

and

CrI.M.P.(MD) Nos.13410 and 13411 of 2022

1.Rajeswari

2.Paramasivam

3.Mathivathani

4.Jeyakodi @ Jaya

... Petitioner /Accused Nos.1 to 4

Vs.

1.The Inspector of Police,
Irukkangudi Police Station,
Virudhunagar District.

... 1st Respondent/Complainant

2.Paramasivam

... 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating in C.C.No.112 of 2022 pending on the file of the learned Judicial Magistrate No.II, Sattur and quash the same.



Crl.O.P.(MD)No.19592 of 2022

For Petitioners : Mr.G.Karuppasamy Pandiyan
For R1 : Mr.A.Albert James,
Government Advocate
(Criminal Side)
For R2 : Mr.S.Prabha

ORDER

This petition has been filed challenging the proceedings pending in C.C.No.112 of 2022 pending on the file of the learned Judicial Magistrate No.II, Sattur.

2. The second respondent gave a complaint to the first respondent stating that the second respondent had put up a cement floor in order to enable the parking of a two wheeler. The first petitioner is a neighbour who was living on the opposite side. There was some wordy quarrel regarding the same. As a result, the accused persons are said to have abused the defacto complainant, his son and his wife in filthy language and also attacked with hands. Based on this complaint, an FIR came to be registered in Crime No.48 of 2021. On completion of investigation, a police report was filed before the Court below and the Court below took cognizance of the offence under Sections 294(b) and 323 insofar as A1,



Crl.O.P.(MD)No.19592 of 2022

A3 and A4 are concerned and under Sections 294(b), 323 r/w. Section 4 of the TNPHW as against A2 is concerned and issued process to the accused persons. Aggrieved by the same, the present quash petition has been filed before this Court.

3. Heard the learned counsel on either side and perused the materials available on record.

4. In the considered view of this Court, a wordy quarrel has led to an outburst among the neighbours and the same has resulted in lodging a complaint before the police. Probably, the parties had hurled obscene words in the heat of the moment. This Court carefully went through the materials and found that no one sustained any external injuries which is evident from the accident register that has been placed before this Court. Therefore, at the best, there was only verbal abuse between the parties.

5. In a case of this nature, no useful purpose will be served in prosecuting the case before the Criminal Court. The facts of the present case can be brought within the fold of Section 95 of IPC and accordingly,



Crl.O.P.(MD)No.19592 of 2022

this Court is inclined to interfere with the proceedings pending before the Court below.

6. In the result, the proceedings in C.C.No.112 of 2022 pending on the file of the learned Judicial Magistrate No.II, Sattur is hereby quashed and the criminal original petition stands allowed. Consequently, the connected miscellaneous petitions are closed.

24.01.2025

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

1.The Judicial Magistrate No.II,
Sattur.

2.The Inspector of Police,
Irukkangudi Police Station,
Virudhunagar District.

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



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Crl.O.P.(MD)No.19592 of 2022

N.ANAND VENKATESH,J.

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Crl.O.P.(MD)No.19592 of 2022

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