



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

CRL.OP.(MD) No.13648 of 2017

and

CRL.MP.(MD) No.9178 of 2017

Dharmadurai

... Petitioner / Accused No.11

Vs.

1. State Represented by

The Inspector of Police,
Vadipatti Police Station,
Madurai District.

(in Crime No.95 of 2014) ...1st Respondent / Complainant

2. Latha

...2nd Respondent/De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Crime No.95 of 2014 on the file of the Inspector of Police, Vadipatti Police Station, Madurai District and quash the same.

For Petitioner

: Mr.M.Vivekanandan

For R1

: Mr.K.S.Durai Pandian

Additional Public Prosecutor

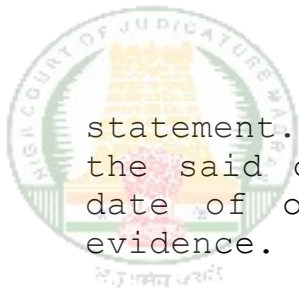
ORDER

This Criminal Original Petition is filed to quash the records in Crime No.95 of 2014 on the file of the Inspector of Police, Vadipatti Police Station, Madurai District.

2.Heard, the Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3.The complaint was about the brutal attack of the petitioner and others as against the de-facto complainant. From the reading of the complaint, it clearly discloses cognizable offences as against the petitioner, who is accused No.11.

4.The only contention of the learned Counsel for the petitioner is that the petitioner is not in the scene of occurrence and that his name has been falsely included. The complaint cannot be quashed on the basis of self serving



statement. Except stating that the petitioner is not involved in the said crime and that he was not there in the village on the date of occurrence, the petitioner has not produced any legal evidence.

5. Be that as it may, the complaint registered as against the petitioner, discloses cognizable offences and the truth or otherwise cannot be decided at this stage, in the quash petition and it is a matter for evidence. Hence, this Court do not see any ground to interfere or to quash the First Information Report. Accordingly, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

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

CMR

VB/KP/SAR2/31.10.2017/2P/3C

CRL.OP.(MD) No.13648 of 2017

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