

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.20919 of 2018

1. Theerthan @ Samikannu
2. Rukku

.. Petitioners/Accused

Vs

1. The Stateby
The Inspector of Police,
Kallavi Police Station,
Krishnagiri District.

2. Thangam .. Respondents/Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in S.C.No.176 of 2016 pending on the file of Additional District Judge, Krishnagiri and quash the same.

For Petitioners: Mr.K.Thiruvengadam

For Rl : Mr.C.Raghavan
Government Advocate

ORDER

The petitioner has filed this petition to call for the records in S.C.No.176 of 2016 pending on the file of Additional District Judge, Krishnagiri and quash the same.

2. Heard Mr.K.Thiruvengadam, learned counsel appearing for the petitioner and Mr.C.Raghavan, learned Government Advocate appearing for the first respondent.

3. On a reading of the final report, it is alleged that on 04.05.2011, the petitioner had damaged the water channel maintained by Public Works Department, through which, water was flowing into the land of the defacto complainant.

4. Mr.K.Thiruvengadam, learned counsel for the petitioner submitted that there is no damage to the Channel and whatever damage was found, it was on account of movement of cattle and not on account of any wanton act of destruction by the petitioner. Though there appears much force in the submission

of Mr.K.Thiruvengadam, , yet this Court cannot go into disputed questions of fact in a quash application. Hence, this petition is closed with liberty to the petitioner to raise all points before the trial Court.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

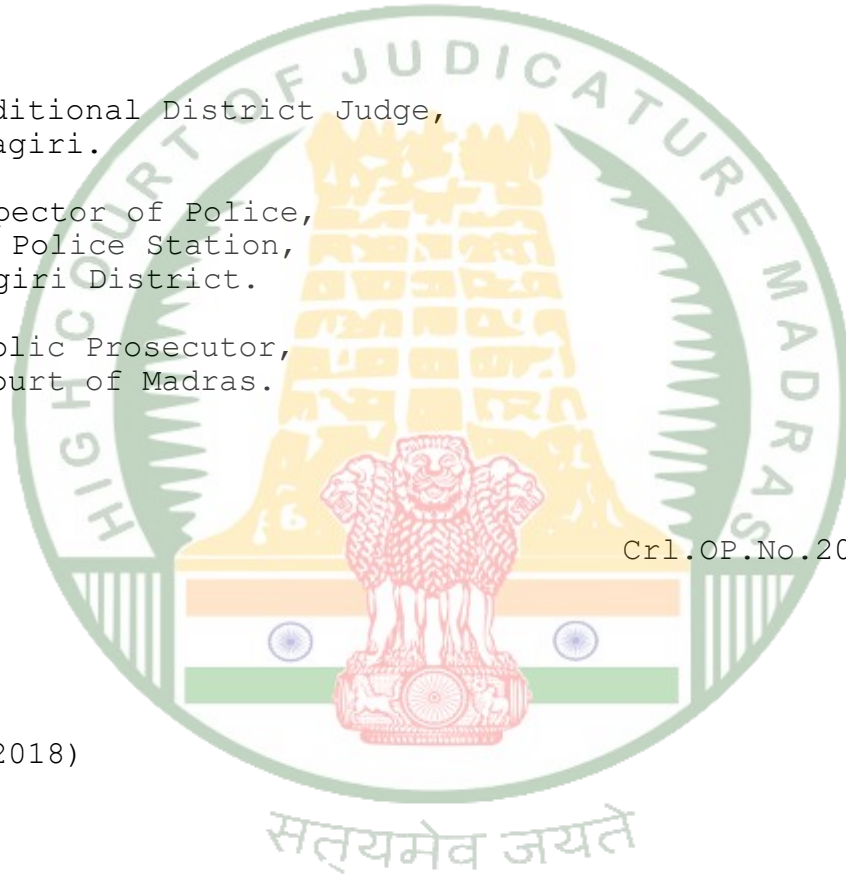
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To

1. The Additional District Judge,
Krishnagiri.
- 2.The Inspector of Police,
Kallavi Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court of Madras.

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SR(CO)
SP(12/09/2018)



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