



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CRL.O.P. (MD) No.4708 of 2019

and

CrI.M.P. (MD) .Nos.2876 & 2877 of 2019

1.Abu Faris
2.Rajammal
3.Abdul Salam @ Switchu Bai : Petitioners / Accused Nos.1 to 3
-Vs-

1.The State represented by the
Inspector of Police,
Fort Police Station
(Crime No.1292 of 2017),
Trichirappalli. : 1st Respondent / Complainant

2.Sirajdeen : 2nd Respondent / De facto complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records and quash the final report filed against the petitioners / accused A1 to A3 in C.C.No.224 of 2018, on the file of the Judicial Magistrate No.I, Trichirappalli.

For Petitioner : Mr.S.I.A.K.Bagadur Sha
For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl. side)

O R D E R

The present petition is filed to quash the final report in Crime No.1292 of 2017, which has since been taken cognizance by the learned Judicial Magistrate No.I, Trichirappalli and pending in C.C.No.224 of 2018.

2. The petitioners face trial for charges under Sections 294 (b) and 506(i) I.P.C.

3. The learned counsel appearing for the petitioners insisted that the case is a false case and argued considerably on the basis of their possible line of defence.

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. side) appearing for the first respondent.

5. This Court is not impressed with the said submission, since the final report taken along with the statements of the witnesses provides prima facie material indicating the commission of offence by the petitioners. All the arguments, which the petitioners



counsel has now indicated above are essentially his line of defence, which he needs to utilise during trial and hence, nothing survives for the present.

6. In view of the above, the Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

tsg

To

1.The Judicial Magistrate No.I, Trichirappalli.

2.The Inspector of Police,
Fort Police Station,
Trichirappalli.

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

Order made in

CRL.O.P. (MD) No.4708 of 2019

Dated: 03.04.2019

SV2 (CO)

TR (06.05.2019) 2P 4C