



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.09.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Cr1.OP.No.29874/2015 & MP.No.1/2015

[Video Conferencing]

1.PraveenKumar
2.Prasanth
3.Manjula

... Petitioners/Accused 1,2,5

Versus

1. The State, Rep. by its
Inspector of Police,
Padurivedu Police Station,
Thiruvallur District.

...1st Respondent/Complainant

2. Lakshmi Kandan

...2nd Respondent/Defacto Complainant

Prayer : - Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in S.C.No.210/2014 on the file of the sub-ordinate Judge, Ponneri on the file of the 1st respondent police and quash the same.

For Petitioners	:	No appearance
For Respondents	:	Mr.E.Raj Thilak Additional Public Prosecutor

ORDER

- (1) There was no representation on behalf of the petitioner when the matter had been earlier posted on 02.09.2021, 06.09.2021 and again on 22.09.2021.
- (2) The present petition has been filed to quash SC.No.210/2014 now pending on the file of the Assistant Sessions Court at Ponneri.
- (3) The Final Report filed by the respondent pursuant to the investigation in Cr.No.193/2012 registered u/s.147, 148, 324, 294[b] and 506[ii] IPC read with 34 IPC, had been committed by the learned Judicial Magistrate and thereafter, made over to the learned Assistant Sessions Judge at Ponneri for trial and taken on file as SC.No.210/2014.



WEB COPY

- (4) The petitioners herein had also given a complaint against the defacto complainant herein and that had resulted in CC.No.153/2012 which is now pending before the learned Judicial Magistrate at Gummidipoondi. The entire issue appears to have been a fall out of an incident which had taken place on 21.04.2012 between two rival groups in the evening at 3.00 p.m. The injuries had been caused to members of both the groups resulting in a complaint and in a counter complaint being lodged before the jurisdictional police station.
- (5) After investigation, the FIR, as stated above, had been filed before the competent Judicial Magistrate Court. In the FIR, among witnesses mentioned, quite apart from the defacto complainant, the Investigating Agency had also examined the Government Doctors at the Government Hospital, Ponneri who had spoken about the injuries which had been inflicted on the defacto complainant. The accused appeared to have given confessions, which have also been recorded.
- (6) All these aspects will have to be necessarily tested during the course of trial. It is also seen from the records that the injured had been subsequently shifted to the Government Hospital at Chennai and that Doctors at that particular Hospital had also been examined. Petitioners 1 and 2 had also enclosed their Course Completion Certificate. But, unfortunately, they had got entangled in an incident which had attracted quite serious offences.
- (7) It would only be in their interest that they face trial and get an order of acquittal if they are able to cast a cloud of suspicion over the statements recorded by the Investigating Officer during the course of investigation. I do not think it is a fit case to interfere at this stage.
- (8) In the result, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

1.The Sub-Ordinate Judge, Ponneri.



2. The Inspector of Police,
Padurivedu Police Station,
Thiruvallur District.

3. The Public Prosecutor
High Court, Madras.

Crl.OP.No.29874/2015

GPL (CO)
K.RK. (12.10.2021)