



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13.12.2021

Coram:

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.12613 of 2017 &
Crl.M.P.Nos.8245 & 8246 of 2017

1. Kupanna Muthu
2. Krishnan
3. Eerammal ... Petitioners/Accused 2 to 4

Vs

1. The State of Tamil Nadu
rep. through the Inspector of Police,
Rasipuram Police Station,
Namakkal.
2. V.Mohan ... Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.93 of 2009 on the file of the Judicial Magistrate, Rasipuram and quash the same.

For petitioners : Mr.K.S.Karthik Raja

For Respondents : R.Kishore Kumar,
Government Advocate [Criminal Side] - R1

No appearance - R2

O R D E R

This petition has been filed to quash the charge sheet in C.C.No.93 of 2009 on the file of the Judicial Magistrate, Rasipuram against the petitioners for the offences punishable under 294(b), 324 and 506(ii) of I.P.C.

2. The crux of the charge against the accused is that on 06.09.2009 at about 10.00 A.M. the defacto complainant while irrigating the land, the accused abused him and caused grievous injury to the defacto complainant.



3. The learned Counsel for the petitioner submitted that none of the prosecution witnesses in their 161 statement have implicated the petitioner and therefore, the prosecution has to be quashed against the petitioners.

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4. At the outset, I am unable to countenance the submissions of the learned counsel for the petitioner. The evidence unearthed by the prosecution indicate that the injured has spoken about the role of all the accused. In such view of the matter, it is for the trial Court to appreciate the evidence and this Court is not inclined to quash the proceedings against the petitioners.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vrc / kbs

To

1. The Judicial Magistrate,
Rasipuram.
2. The Inspector of Police,
Rasipuram Police Station,
Namakkal.

Crl.O.P.No.12613 of 2017 &
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RSI (CO)
CT 30/12/2021