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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.18012 of 2017 and
Crl.M.P.Nos.10944 & 10995 of 2017

M.Raja

..Petitioner

Vs.

1. State by
The Inspector of Police
Sankarapuram Police Station
Sankarapuram
Villupuram District
Crime No 233 of 2016

2.U.Andi

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure (Cr.P.C) to call for the records pertaining to the impugned charge sheet in C.C.No.107 of 2016 on the file of the Judicial Magistrate, Sankarapuram, Villupuram District and to quash the same.

For petitioner : Mr.R.Prabudoss

For respondents : Mr.S. Vinoth Kumar for R1
Government Counsel (Criminal side)

O R D E R

This Criminal Original Petition has been filed to quash the impugned charge sheet in C.C.No.107 of 2016 on the file of the Learned Judicial Magistrate, Sankarapuram, Villupuram District.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first respondent and perused the materials available on record.



3. The main contention of the learned counsel appearing for the petitioner is that the case has been foisted with a false motive and there are no materials available on record, to continue the prosecution.

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4. Learned Government Advocate (Criminal Side) opposed the petition. The submission of the learned counsel appearing for the petitioner cannot be countenanced, as there are prima facie materials available like wound certificate, medical evidence and eyewitnesses as to the nature of the injuries said to have been caused by the petitioner.

5. In view of the matter, this Court of the view that this Court cannot exercise the power Under Section 482 of the Code of Criminal Procedure, to test the evidenciary value of the statements. Hence this Criminal Original Petition is dismissed. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

shk/mvs

To

1. The Judicial Magistrate,
Sankarapuram,
Villupuram District.
2. The Inspector of Police
Sankarapuram Police Station
Sankarapuram
Villupuram District
Crime No 233 of 2016.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.18012 of 2017

GPL(CO)
CB(02/12/2021)