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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.11.2021

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.27346 of 2017
and
Crl. M.P.No.15666 & 15667 of 2017

1. S.Balasubramaniam
2. M.Shanmugam
3. Lakshmi

...Petitioners/ Accused 1 to 3

Versus

- 1.State represented by
The Inspector of Police,
All Women Police Station
Erode, Erode District,
Crime No.11/2016.

- 2.Chandrababha

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records and quash the charge sheet in C.C.No.117 of 2017 on the file of the Chief Judicial Magistrate, Erode.

For Petitioner	...	Mr.C.S.Saravanan
For Respondents	...	Mr.S.Vinoth Kumar Government Advocate (Crl.side) for R1 No appearance for R2

O R D E R

This petition has been filed to quash the final report filed in C.C.No.117 of 2017 for the offences under Sections 498-A and 506(i) of IPC.

2. Though the learned counsel appearing for the petitioners is before this Court, he is not ready to argue the matter.



However, the learned Government Advocate (Crl.side) submitted that out of seven witnesses, five witnesses have already been examined and only two witnesses are remaining to be examined before the trial Court.

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3. As the trial Court has already commenced and substantial part of witnesses have already been examined, it is within the domain of the trial Court to appreciate the evidence tendered before it and come to a conclusion whether the evidence tendered before it constitute the offence for which the petitioners have been charged.

4. Therefore, this Court is not inclined to exercise the jurisdiction under Section 482 Cr.P.C and accordingly, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

gpa/gba

To

1.The Chief Judicial Magistrate,
Erode.

2.The Inspector of Police,
All Women Police Station
Erode, Erode District,
Crime No.11/2016.

3.The Public Prosecutor,
Madras High Court,
Chennai.

Crl. O.P. No.27346 of 2017 and
Crl. M.P.No.15666 & 15667 of 2017

AD (CO)
PR (10/12/2021)