



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE **R. THARANI**

Crl.O.P. (MD)No.4246 of 2021

and

Crl.M.P. (MD)Nos.2372 and 2374 of 2021

T.Leve Michael

... Petitioner

Vs.

1.The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.409 of 2018)

2.P.Anthony Selvan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records pertaining to the charge sheet in C.C.No.544 of 2020 on the file of the learned Judicial Magistrate No.IV, Tirunelveli and quash the same as illegal and unconstitutional.

For Petitioner : Mr.C.Gangai Amaran

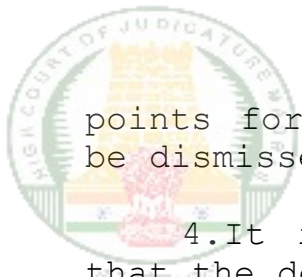
For R1 : Mr.A.Robinson
Government Advocate (Criminal side)

ORDER

The present petition is filed seeking to quash the proceedings in C.C.No.544 of 2020 on the file of the learned Judicial Magistrate No.IV, Tirunelveli.

2.On the side of the petitioner, it is stated that a false complaint was lodged against the petitioner and the charge sheet was filed. All the witnesses are the relatives of the de-facto complainant. A civil suit was pending between the parties. A civil case is colored as a criminal case and prayed the charge sheet to be quashed.

3.On the side of the first respondent, it is stated that Doctor was examined and the wound certificate proved that there was simple injury on the body of the de-facto complainant. A civil case is colored as a criminal case and prayed the charge sheet to be quashed.



points for consideration in the trial and prayed the petition to be dismissed.

4.It is seen that the Doctor has given a wound certificate that the de-facto complainant had simple injuries.

5.In the above circumstances, a trial is necessary. Hence, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate No.IV, Tirunelveli.

2.The Inspector of Police,
Manur Police Station,
Tirunelveli District.

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

Crl.O.P. (MD) No.4246 of 2021
19.03.2021

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TR(21.04.2021) 2P 4C