



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No. 14391 of 2021

and

Crl.M.P.(MD)Nos.10879 & 7574 of 2021

Dhandapani

... Petitioner/
Sole Accused

Vs.

1.The Superintendent of Police,
Theni District,
Theni.

2.The State represented by
The Inspector of Police,
Thenkarai Police Station,
Theni.

... Respondent/
Complainant

3.Murugamani

... Respondent/
Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C., to call for records of impugned Charge Sheet in P.R.C.No.17 of 2021 on the file of the learned Judicial Magistrate, Periyakulam and quash the same as illegal.

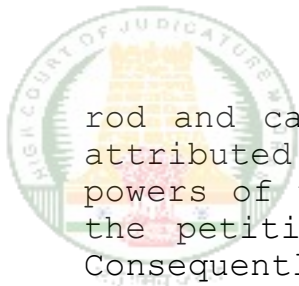
For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1 and R2

Mr.P.Sivachandran for R3

ORDER

This Criminal Original Petition has been filed to quash the impugned proceedings. The petitioner is facing trial for the offence under Section 302 IPC. The learned Additional Public Prosecutor as well as the learned counsel for the defacto complainant draw my attention to the relevant portions in the statement recorded under Section 161 Cr.P.C. The eye-witnesses stated that the petitioner hit the deceased on his head with iron



rod and caused his death. When such specific overtacts have been attributed to the petitioner, it is futile to invoke the inherent powers of this Court. Leaving open the defences and contentions of the petitioner, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mga

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 Superintendent of Police,
Theni District,
Theni.
- 2.The Inspector of Police,
Thenkarai Police Station,
Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.14391 of 2021

and

Crl.M.P. (MD) Nos.10879 & 7574 of 2021

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MGJ(21.12.2021) 2P 4C