



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3127 of 2022
and Crl.M.P.Nos.1395 & 1396 of 2022

1. Shanmugavalli
2. Meena
3. Meenachi

..Petitioners/ Accused 1, 2 & 3
Vs.

- 1.State Represented by,
The Inspector of Police,
Mallur Police Station,
Salem District.
(Crime No. 393 of 2021)

.. Respondent / Complainant

2. Dhanam

..Respondent/ Defacto Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.663 of 2021 on the file of the learned Additional Mahila Court, Salem, Salem District so far as these petitioners are concerned and quash the same.

For Petitioners : Mr.M.R.Elavarasan

For R 1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.663 of 2021 on the file of the learned Additional Mahila Court, Salem District.

2. Learned counsel appearing for the petitioners would submit that the first respondent has registered a case against the petitioners in Crime No.393 of 2021 on the complaint of one Dhanam. The case of the defacto complainant is that while they were travelling in a bus, the petitioners attempted to snatch the chain. He would further submit that it is the case of mistaken identity and the first respondent, without properly conducting the investigation, has filed the final report. He would also submit that the petitioners are residents of Thoothukudi District and they were arrested on suspicion.



3. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the petitioners, while travelling in a bus, attempted to snatch the chain belongs to the de facto complainant and were apprehended at the same spot and the chain has also been recovered. Other than the factual grounds, the petitioners have not raised any legal grounds. He further submit that the identity of the accused is very much essential before the Trial Court.

4. This Court is of the view that the petitioners have not placed any legal grounds and the grounds raised by them are factual in nature, thereby, there is no merit in the quash petition.

5. Accordingly, this Criminal Original Petition stands dismissed. However, the direction is issued to the Trial Judge to complete the trial as expeditiously as possible, preferably within four months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

rgi/ham

To

1. The Additional Mahila Judge,
Salem.
2. The Inspector of Police,
Mallur Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Elavarasan, Advocate, S.R.No.9951

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MG (CO)
SB(22/02/2022)