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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.6414 OF 2022

AND

CRL.M.P.NO.3589 OF 2022

Deivaraj

... Petitioner

.Vs.

1. The State Rep. by
The Inspector of Police,
Tiruchengode Town Police Station,
(Crime No.824 of 2020)

2. Sivasankar

... Respondents

PRAYER:-

The Criminal Revision Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in PRC.No.19 of 2021 on the file of the Judicial Magistrate, Tiruchengode and quash the same.

For Petitioner : No Appearance

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor
For R1

O R D E R

This Criminal Original Petition has been filed to call for the records in PRC.No.19 of 2021 on the file of the Judicial Magistrate, Tiruchengode and quash the same.

2. The learned counsel for the petitioner would submit that the de-facto complainant is none other than the brother-in-law of the petitioner. There is a dispute between the petitioner and his sister/wife of the de-facto complainant, with regard to



sharing of his father's property. He would further submit that the entire case is concocted based on the enmity. There are several contradictions between the statement of witnesses. There are two previous FIR pending between the petitioner and the de-facto complainant. The Medical Records of the de-facto complainant are absolutely contradictory to the statement of PW.28 and PW.29, who are the Doctors alleged to have given treatment to the de-facto complainant. Hence, he would seek to quash the proceedings.

3. The learned Additional Public Prosecutor appearing for the 1st respondent would submit that the grounds raised by the petitioner are factual in nature and are matters for trial and no legal ground has been raised. He would further submit that the de-facto complainant has sustained grievous injuries and thereby, the 1st respondent/Police has registered a case for the offences under Sections 427, 294(b), 324, 506(ii), 307, 449, 342, 506(i), 34 and 114 IPC.

4. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the 1st respondent and perused the entire materials available on record.

5. This Court is of the opinion that the petitioner has not made out any valid ground for quashing the proceedings in PRC.No.19 of 2021. All the grounds raised are factual in nature and they can be raised at the relevant stage of trial.

6. Accordingly, this Criminal Original Petition is dismissed. However, this Court directs the Judicial Magistrate, Tiruchegode to commit P.R.C.No.19 of 2021 as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vkr

To

1. The Judicial Magistrate,
Tiruchengode.



2. The Inspector of Police,
Tiruchengode Town Police Station.

3. The Public Prosecutor,
High Court, Chennai.

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CRL.O.P.NO.6414 OF 2022 AND
CRL.M.P.NO.3589 OF 2022

SSV(CO)
PBS/08/04/2022