

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.No.13979 of 2022 and
CRL.M.P.Nos.7594 & 7596 of 2022

Cheliyan

... Petitioner

Versus

1.The State Rep by its
The Inspector of Police,
Thammampatti Police Station,
Salem District.
In Crime No.405/2008.

2.Ganesan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with final report in S.C.No.93 of 2010 on the file of the learned Principal and District Session Judge at Salem and quash the same.

For Petitioner : Mr.S.Ravichandran

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

ORDER

This Criminal Original Petition has been filed to quash the proceedings in S.C.No.93 of 2010, pending on the file of the Principal District and Sessions Court, Salem, for offence under Sections 147, 148, 450, 307, 324 of IPC and Section 3(1) of the TNPPD Act, 1992 r/w 149 IPC.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

3.The materials collected by the prosecution clearly indicated that an injury was caused on the 2nd respondent/defacto complainant and hence, charges under Section 307 IPC has been framed. Further, the other offences like Sections 34 and 149 of

IPC are also there. Therefore, the contention raised by the learned counsel for the petitioner is only on factual aspects. The same requires appreciation of evidence and it cannot be done at this stage.

4. In view of the above, this Court does not find any merits in this petition. Accordingly, this Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Court,
Salem.

2. The Inspector of Police,
Thammampatti Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

+2cc to M/s. S. Ravichandran, Advocate, S.R.No.41282

CRL.O.P.No.13979 of 2022

BP (CO)
SB (21/07/2022)