



WEB COPY



Crl.O.P.No.7846 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.7846 of 2022

and

Crl.M.P.No.4544 of 2022

N.Ravindhran

... Petitioner

Vs.

1. The Inspector of Police
D-3, Ice House Police Station
Triplicane, Chennai-600005.

2. Amanulla

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the C.C.No.4424 of 2020 on the file of 2nd Metropolitan Magistrate, Egmore, Chennai-600008 and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.Thanumadhan N.S.

For Respondent-1 : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

For Respondent-2 : Mr.P.Rajkumar Pandian



Crl.O.P.No.7846 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed seeking to quash the charge sheet filed against the petitioner for the offences under Sections 294(b), 323 and 506(i) IPC which has been taken on file by the learned II Metropolitan Magistrate, Egmore, Chennai-600 008 in C.C.No.4424 of 2020.

2. The learned counsel for the petitioner would submit that a false case has been registered against the petitioner. He would further contend that except the injured, the other witnesses have gone against the defacto complainant which itself clearly shows that the entire case is nothing but abuse of process of law. He would further submit that based on the complaint given by the petitioner, FIR was registered against the defacto complainant and his client in Crime No.225 of 2019 and the same been charge sheeted as C.C.No.4423 of 2020 on the file of the II Metropolitan Magistrate, Egmore, Chennai.

3. Heard the learned counsel for the petitioner and the learned counsel for the 2nd respondent and the learned Government Advocate (Crl. Side) appearing for the 1st respondent.



Crl.O.P.No.7846 of 2022

4. Though the learned counsel for the petitioner disputed the injury alleged to have been sustained by the victim, a perusal of the evidence and the medical report indicate that there was a physical violation and injury has been caused on the head of the victim. The learned counsel for the petitioner has made only factual submissions which cannot be gone into at this stage. Admittedly, there is a case and case in counter and in both the cases, charge sheets have been filed. Hence, the learned Metropolitan Magistrate is directed to dispose of both the cases viz., C.C.No.4424 of 2020 and C.C.No.4423 of 2020 simultaneously by following the guidelines set out in the case in ***Nathilal and Others Vs. State of Uttar Pradesh and Another reported in 1990 2 (Supl) SCC 145.***

5. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous petitions is closed.

08.07.2022

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

ksa-2



WEB COPY



Crl.O.P.No.7846 of 2022

N. SATHISH KUMAR,J.

Ksa-2

To

1. The II Metropolitan Magistrate,
Egmore, Chennai-600008
- 2.The Inspector of Police
D-3, Ice House Police Station
Triplicane, Chennai-600005.
3. The Public Prosecutor
High Court, Madras

Crl.O.P.No.7846 of 2022

and

Crl.M.P.No.4544 of 2022

08.07.2022