



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.01.2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.28076 of 2017
and Crl.M.P.Nos.15976 &15977 of 2017

1. Manikandan
2.Manivarman @ Manivel
3.Manimaran
4.G.M.Devan @ G.Mahadevan ...Petitioners

Versus

1.State : The Sub Inspector of Police(L&O),
B.1, North Beach Police Station,
Chennai-1

2.Kaviyarasu ...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the charge sheet in C.C.No.2690 of 2017 on the file of the VII Metropolitan Magistrate's Court, Chennai-1 and quash the same.

For Petitioners : M/s.S.Doraisamy

For Respondents : Mr.S.Vinoth Kumar for R1
Govt.Advocate(crl.side)
No appearance for R2

O R D E R

This Criminal Original Petition has been filed to call for the records and quash the proceedings in C.C.No.2690 of 2017 on the file of the VII Metropolitan Magistrate's Court, Chennai-1 for the offence under Sections 294(b), 326 and 506(ii) of I.P.C r/w 34 of I.P.C.

2. The crux of the allegation is that the accused have caused physical injuries on the witnesses and made a threat. Thereby, they committed the aforesaid offence.



3. Learned counsel for the petitioners submitted that there is no materials available on record as against A4. Hence, he prayed to quash the proceedings against A4.

WEB COPY

4. This Court is of the view that though the injured has not implicated A4 in his statement, the other witnesses have spoken about A4. Therefore, the veracity of the statement cannot be gone into at this stage while exercising the power under Section 482 of Cr.P.C. Therefore, at this stage when the prima facie materials are available against the accused to proceed against them for the offence charged, this Court is not inclined to exercise its powers under Section 482 to quash the final report.

5. Accordingly, this criminal Original Petition is dismissed with a direction to the Trial Court to appreciate the evidence and decide the issue on materials. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msv/nr
To

- 1.The Sub Inspector of Police(L&O),
B.1, North Beach Police Station,
Chennai-1.
- 2.The VII Metropolitan Magistrate's Court,
Chennai-1.
- 3.The Public Prosecutor
High Court, Madras.

+1cc to M/s.S.Doraisamy, Advocate Sr.1780

Crl. O.P. No.28076 of 2017
and Crl.M.P.Nos.15976 &15977 of 2017

um[co]
srg 04/02/2022