



Crl.O.P.No.7094 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.7094 of 2023

and

Crl.M.P.Nos.4445 & 4446 of 2023

N.Paarthiswaran

...Petitioner

-Vs-

1.The State rep by :
The Inspector of Police,
J10, Semmencherry Police Station,
Semmencherry, Chennai – 119.

2.Sulochana

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for records relating to the proceedings in C.C.No.196 of 2020 on the file of the Additional Mahila (Judicial Magistrate) Court, Alandur.



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For Petitioner : Mr.G.Gokul
For R1 : Mr.S.Santhosh
Govt. Advovate, (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the final report in C.C.No.196 of 2020 on the file of the Additional Mahila – cum- Judicial Magistrate Court, Alandur, Chennai.

2.It is seen from the petition that the petitioner had filed a Discharge Petition before the Additional Mahila -cum- Judicial Magistrate Court, Alandur in C.M.P.No.536 of 2020, which was dismissed. He had challenged it in the Revision Petition in Crl.R.C.No.6 of 2021 on the file of the Principal District and Sessions Court, Chengalpattu and the same was dismissed by an order dated 21.07.2022. The petitioner has filed this quash petition after the said order was passed. The points raised by the petitioner that he has been falsely implicated by the de-facto complainant is factual in nature and the same cannot be adjudicated in this quash petition. Therefore, this Court is not inclined to entertain the quash petition.



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WEB COPY 3.Hence, this Criminal Original Petition is dismissed.

Consequently, connected Crl.M.P.No.4445 of 2023 is closed. However, in view of the fact that the case is of the year 2017 and ten witnesses have been cited by the prosecution, the learned Judicial Magistrate, Alandur, may conclude the trial as expeditiously as possible.

4.It is submitted that the petitioner is a permanent resident of Trichy. In view of the same, the personal appearance of the petitioner is dispensed with before the Trial Court, unless the learned Judicial Magistrate considers his appearance necessary for the progress of the trial. Accordingly, Crl.M.P.No.4446 of 2023 is ordered.

31.03.2023

smv

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order



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To,

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- 1.The Inspector of Police,
J10, Semmencherry Police Station,
Semmencherry, Chennai – 119.
- 2.The Public Prosecutor,
High Court of Madras.
- 3.The Additional Mahila – cum- Judicial Magistrate Court,
Alandur, Chennai



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SUNDER MOHAN,J.

smv

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