



CRL.O.P.No.20524 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.02.2023

CORAM:

THE HON'BLE Ms.JUSTICE R.N.MANJULA

Crl.O.P.No.20524 of 2021

and

Crl.MP.No.11156 of 2021

1.Kamala Kannan

2.Devi

3.Subramani

4.Rajmmal

..

Petitioners/Accused 1-4

Versus

1.The Inspector of Police,
Manimangalam Police Station,
Kancheepuram.
(Crime No.374/2019)

... 1st Respondent/complainant

2.Manikandan

... 2nd respondent/ Defacto
complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in SC.No.22 of 2021 on the file of the Principal Sessions Judge, Chengalpet, pending trial and quash the same.



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CRL.O.P.No.20524 of 2021

For Petitioner : Mr.G.Mohanakrishnan
For Respondent-1: Mr.A.Gopinath
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in SC.No.22 of 2021 on the file of the learned Principal Sessions Judge, Chengalpet.

2.Heard both sides and the perused the materials available on record.

3. The learned counsel for the petitioner submitted that despite no ingredients are made out for the offence under Sec.3(2)(va) SC/ST (Prevention Of Atocities) Amendment Act 2015, charge sheet has been filed just in order to exaggerate the alleged occurrence. The learned counsel for the petitioner drew the attention of this Court with regard to the statement of LW.1 wherein he has stated about certain facts with regard to the allegation pertaining to the offence under section 3(2)(va) SC/ST (POA) Amendment Act 2015.

4.Even the records does not have the ingredients to make out a few



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offences for which the accused had been charged and there are ingredients to make out some of the offences. It is for the trial Court to frame appropriate charges with regard to the offence for which there are materials available on record. However, the petitioner is at liberty to file a petition for discharge before the Principal Sessions Judge, Chengalpet and attract the attention of the trial Court about absence of materials with regard to certain offence. So far as this Court is concerned the proceedings cannot be quashed in a piece meal manner as against certain offences.

With these observation this criminal original petition is **disposed of**. Consequently, connected miscellaneous petition is closed.

10.02.2023

Index: Yes/No

jrs

To:

1.The Inspector of Police,
Manimangalam Police Station,
Kancheepuram.

2.The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.,

jrs

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