



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2023

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

**Crl.O.P.No.21799 of 2023
and Crl.M.P.No.15091 of 2023**

1.M.Jegan
2.M.Kanchana
3.Ms.Pavithra

.. Petitioners

Vs.

1.The State Rep. by its
The Sub-Inspector of Police,
K-8, Arumbakkam,
Chennai – 600 106.

2.Mr.Augustin

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the charge sheet filed by the respondent police in C.C.No.3473 of 2023 against the petitioners pending on the file of the learned Vth Metropolitan Magistrate Court, Egmore, Chennai.

For Petitioners : Mr.S.Selvaraj

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1



ORDER

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The petitioners are A1 to A3. They have filed this petition for quashing the case in C.C.No.3473 of 2023 on the file of the learned Vth Metropolitan Magistrate Court, Egmore, Chennai.

2.The learned counsel for the petitioners stated that the civil dispute has been given a different colour in criminal case.

3.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor.

4.The petitioners have been charged for the offences under Sections 294(b) and 506(i) of IPC. This Court is of the view that, whether the offence has been committed by the petitioner or not is a matter of evidence. Therefore, this Court cannot conduct a roving enquiry while exercising its jurisdiction under Section 482 Cr.P.C. What is required to be done is to find out whether there is any *prima facie* allegation to attract the offence. However, whether those allegations are true or not, is a matter of evidence, which can be gone into at the stage of trial.



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5. Accordingly, this criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

29.09.2023

Index : Yes/No
Internet : Yes/No
ssr

To

1. The Vth Metropolitan Magistrate Court, Egmore, Chennai.
2. The Sub-Inspector of Police,
K-8, Arumbakkam,
Chennai – 600 106.
3. The Public Prosecutor
High Court of Madras, Madras.



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RMT.TEEKAA RAMAN.J,

SSR

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