



Crl.O.PNo.25886 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.25886 of 2019
and
Crl.M.P.Nos.13782 & 13784 of 2019

1.V.Perumal
2.Ananthavalli

...Petitioners

Vs.

1.The State rep. By
the Inspector of Police,
Mailam Police Station,
Villupuram District.
(Crime No.79 of 2018)

2.Moorthi

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., calling for the records in the impugned Spl.S.C.No.48 of 2018 on the file of the Special Court for trial of SC and ST Cases – Villupuram and quash the same.

For Petitioners : Mr.W.Camyles Gandhi

For Respondents : Ms.Saratha Devi.V

Government Advocate (Crl. Side)



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ORDER

The petition is to quash the final report filed for the offences under Sections 323, 363, 506(i), 294(b), 34 of IPC and Sections 3(1)(r) and 31(1)(s) & 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

2.The allegation in the final report is that the petitioners had abused the de-facto complainant and hurt him by using his caste name.

3.The learned counsel appearing for the petitioners would submit that the alleged occurrence is false and in fact, the petitioners had given a complaint against the de-facto complainant and prayed for quashing of the final report.

4.This Court finds that the points raised by the petitioners are factual in nature and has to be decided only before the Trial Court and hence, this Court is not inclined to entertain the quash petition.



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5.In view of the above, this Criminal Original Petition is dismissed.

No costs. Consequently, connected miscellaneous petitions are closed.

24.03.2023

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Internet : Yes/No

Index: Yes/No

Speaking / Non-speaking order

Nuetral Citation :Yes/No

To:-

- 1.The Inspector of Police,
Mailam Police Station,
Villupuram District.
- 2.The Special Court for Trial of SC and ST Cases,
Villupuram
- 3.The Public Prosecutor
High Court of Madras,
Madras.



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SUNDER MOHAN, J.

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