



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.28943 of 2019

And

Crl.M.P.No. 15487 of 2019

N.Ranjith Kumar

... Petitioner/Accused 2

Vs

1. The Inspector of Police
D6 Anna Square Police Station
Chennai City
(Crime No. 215/2016)

...1st Respondent/Complainant

2. Dr.David Ambrose ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records proceedings in P.R.C.No.115 of 2017 on the file of II Metropolitan Magistrate, Egmore and subsequently quash the same.

For Petitioner : Mr. K.Thenrajan

For 1st Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Petition is to quash the final report for the alleged offences under Sections 294(b), 324, 506(ii) of IPC and Section 3 of TNPPDL Act.



2. The learned counsel for the petitioner would submit that the allegations against the petitioner is false and the defacto complainant lodged the FIR only after the petitioner had given a complaint against the defacto complainant and others. This complaint was lodged only as counter blast. The allegations are after thought and hence, prayed for quashing the final report.

3. The learned Additional Public Prosecutor appearing for the first respondent would submit that there are allegations in the impugned final report which attracts the offences alleged against the petitioner under Sections 294(b), 324, 506(ii) of IPC and Section 3 of TNPPDL Act and hence, prayed that the quash petition may be dismissed.

4. This Court on perusal of the impugned final report and on the submissions of the learned counsels on either side finds that the points raised by the petitioner has to be adjudicated only before the trial Court. Hence, this Court is not inclined to entertain the quash petition. However, the petitioner is at liberty to raise all the points before the trial Court.



5. The appearance before the trial Court is dispensed with unless the learned Magistrate deems his appearance necessary for the progress of the trial. The learned Magistrate may also conduct the trial as expeditiously as possible.

6. In view of the same, this Criminal Original Petition is dismissed. Consequently, connected CrI.M.P.No. 15487 of 2019 is closed.

05.04.2023

vsg

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

1. II Metropolitan Magistrate, Egmore.
2. The Inspector of Police
D6 Anna Square Police Station
Chennai City.
3. The Public Prosecutor,
Madras High Court, Chennai.



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SUNDER MOHAN. J.

vsg

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