



WEB COPY



Crl.O.P.No.22672 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22672 of 2023
and
Crl.M.P.Nos.15845 & 15846 of 2023

G.Duraimurugan

... Petitioner

Vs.

1.The State rep by
The Inspector of Police,
Venganur Police Station,
Ariyalur District.
(Crime No.109/2018)

2.Manikanan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in C.C.No.32 of 2019 pending on the file of the learned Judicial Magistrate No.II, Ariyalur as against this petitioner concerned.

For Petitioner : Mr.K.Nirmal Kumar

For R1 : Mr.S.Udaya Kumar
Government Advocate (Criminal Side)



WEB COPY



CrI.O.P.No.22672 of 2025

ORDER

The petitioner herein is one of the accused facing trial in C.C.No.32 of 2019, pending on the file of the learned Judicial Magistrate No.II, Ariyalur.

2. The final report indicates that on 04.11.2018 at about 00.15 hours, the petitioner along with two associates in drunken mood had parked the Mahindra Zylo car bearing Registration No.TN 49 BM 9491 in the mid of the road and causing hindrance to the traffic. When that was questioned by the patrol police, they have abused them in filthy language, two of his associates had attacked the Inspector of police and the Head Constables. With the help of the public two of his associates were napped, whereas, this petitioner has fled from the scene of occurrence.

3. Reading the FIR and the statement of witnesses, the learned counsel appearing for the petitioner submitted that there is no overt act attributed against this petitioner and therefore, the criminal case against him has o be quashed.



WEB COPY



Crl.O.P.No.22672 of 2023

4. However from the reading of the FIR as well as the statements, this Court finds that this petitioner along with two others in the witching hours on 04.11.2018 caused hindrance to the traffic by parking Mahindra Zylo car in the middle of the road and attacked the Inspector of Police who questioned them. They have been in drunken mood. The statement of witnesses clearly indicate the role of this petitioner in the said crime for which he is liable to be tried.

5. Hence the Criminal Original Petition seeking quash of the criminal proceedings is dismissed. Consequently, the connected Criminal Miscellaneous Petitions are also dismissed.

06.11.2023

Index : Yes/No
Neutral Citation : Yes/No
rpl

To

1.The Judicial Magistrate No.II, Ariyalur

2.The Inspector of Police,
Venganur Police Station,
Ariyalur District.

3.The Public Prosecutor, High Court of Madras, Chennai.

3/4



Crl.O.P.No.22672 of 2023

Dr.G.JAYACHANDRAN, J.

rpl

Crl.O.P.No.22672 of 2023

06.11.2023