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CrI.O.P.No.29046 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.29046 of 2019

and

CrI.M.P.Nos.15561 & 15563 of 2019

Velvizhi

...Petitioner

Vs.

1.The State

Rep. By Sub-Inspector of Police,
Kottucherry Police Station,
Karaikal.

2.Rajamani

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C.,
calling for the records relating to STC.No.96/2019 on the file of the Judicial
Magistrate – II, Karaikal and quash the same as regards the petitioners.

For Petitioner : Mr.M.J.Sreenivas

For Respondents : Mr.M.V.Ramachandramoorthy

Addl. Public Prosecutor (Puducherry)

assisted by Mr.A.Alexander for R1

Not ready in notice – R2 – No appearance



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ORDER

This petition is filed to quash the final report in STC.No.96 of 2019 for the offences under Sections 143, 427 r/w. 149 of IPC.

2.The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated that her name was not mentioned in the First Information Report and she was added as an after thought in the impugned final report. He would further submit that there is a civil dispute pending between the parties in O.S.No.43 of 2017 on the file of the Sub-Court, Karaikal and a civil dispute is sought to be given a criminal colour.

3.The learned Additional Public Prosecutor would submit that the trial has commenced and P.W.1 was examined on 20.01.2023. He would further submit that there are only six witnesses and the prosecution would expedite the examination of the witness and trial can be concluded within a short period of time. Hence, he prayed for dismissal of the quash petition.



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4.This Court finds that the petitioner's name is not found in the First Information Report and there are civil disputes pending between the parties in O.S.No.43 of 2017 on the file of the Sub-Court, Karaikal. However, since the trial has commenced and P.W.1 has already been examined, this Court is not inclined to go into the submissions of the petitioner and entertain the quash petition. However, the petitioner is at liberty to raise all her contentions before the Trial Court.

5.In view of the above, this Criminal Original Petition is dismissed.
No costs. Consequently, connected miscellaneous petitions are closed.

23.03.2023

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Internet : Yes/No

Index: Yes/No

Speaking / Non-speaking order

Nuetral Citation :Yes/No



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To:-

- 1.The Sub-Inspector of Police,
Kottucherry Police Station,
Karaikal.
- 2.The Judicial Magistrate – II,
Karaikal..
- 3.The Public Prosecutor
High Court of Madras,
Madras.



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SUNDER MOHAN, J.

KKN

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