

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.29767 of 2019

and

Crl.M.P. No.16086 & 16087 of 2019

- 1.Gandhi
- 2.Macha Gandhi
- 3.Kamaraj
- 4.Selvaraj

... Petitioners

Vs.

1. The State Rep. by
Inspector of Police
Chetpet Police Station
Tiruvanamalai District.
(Crime No.211 of 2018)

2. Srinivasan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to call for the records relating to CC.No.30/2019 on the file of the Judicial Magistrate Court, Polur, Tiruvannamalai District and quash the same.

For Petitioners : Mr.C.Prabakaran
For Respondents : Mr.A.Damodaran Additional Public
Prosecutor [R.1]
: M/s.M.Prakash [R.2]

ORDER

This Criminal Original Petition has been filed to quash the final report in C.C.No.30 of 2019 on the file of the Judicial Magistrate Court, Polur, Tiruvannamalai District.

2. The learned counsel for the petitioners submits that the occurrence had not taken place and the complainant has falsely implicated the petitioners. A reading of the complaint according to the learned counsel for the petitioners discloses no offence as alleged by the respondents.

3. This Court on a reading of the final report finds that there are allegations against the petitioners which have to be only adjudicated in the trial. The petitioners are at liberty to raise all their contentions before the Trial Court. Hence, this Court is not inclined to quash the impugned complaint.

4. However, since the 4th petitioner is aged about 63 years his presence before the Trial Court is dispensed with unless the learned Judicial Magistrate deems his presence necessary for the progress of the Trial.

5. In view of the above, this Criminal Original petition stands dismissed. Consequently, the connected Miscellaneous Petitions are closed.

09.03.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
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To

1. The Inspector of Police
Chetpet Police Station
Tiruvanamalai District.
2. Judicial Magistrate Court, Polur,
Tiruvannamalai District.
3. The Additional Public Prosecutor,
Madras High Court.

SUNDER MOHAN. J,

shr

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