



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**Crl.O.P.No.30380 of 2019 &
Crl.M.P.Nos.16464 & 16465 of 2019**

1.Vetriselvan

2.Chandramohan

... Petitioners

Vs

1.The Sub Inspector of Police,
Tiruppur North Police Station,
Tiruppur City & District,
Cr.No.919 of 2018.

...1st

Respondent/Complainant

2.G.Rajesh

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records relating to the proceedings in C.C.No.489 of 2018 on the file of Judicial Magistrate I at Tiruppur and quash the same.

For Petitioners : Mr.M.Prabhakar

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



For Respondent 2 : Mr.H.Manojin
ORDER

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The petitioners seek for quashing of Final Report in C.C.No.489 of 2018 for the offence under section 294(b), 323 and 506(i) IPC.

2. Learned counsel for the petitioners would submit that the impugned proceedings are malafide and there is a money dispute between the second respondent and the petitioners which has resulted in the second respondent giving a false complaint against the petitioners to extract money.

3. Learned Additional Public Prosecutor submitted that there is evidence to show that the witness was injured and the points raised by the petitioners cannot be gone into in this quash petition.

4. Learned counsel for the defacto complainant reiterated the submissions of the learned Additional Public Prosecutor.

5. The points raised by the petitioners that the false complaint had been filed against the petitioners on account of money dispute cannot be



gone into in this quash petition. There is prima facie evidence to show that the witness has been injured. Hence, this Court is not inclined to entertain this quash petition. However, the petitioners are at liberty to raise all their points before the trial court.

6. The appearance of the petitioners before the Trial Court is dispensed with, unless the learned Magistrate considers their presence is necessary for the progress of the trial. The Trial Court is directed to conduct the trial as expeditiously as possible.

7. With the aforesaid observation, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

13.04.2023

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Index : Yes/No
Speaking/Non speaking orders
Neutral citations : Yes/No



To

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1. The Judicial Magistrate I at Tiruppur
2. The Public Prosecutor,
Madras High Court.

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SUNDER MOHAN, J.

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