



CrI.O.P.No.28501 of 2023 & CrI.M.P.Nos.19834 & 19835 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.12.2023

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.28501 of 2023
& CrI.M.P.Nos.19834 & 19835 of 2023

Sathish.

... Petitioner/Accused
/versus/

1. The Inspector of Police,
Bahour Police Station,
Puducherry.

... Respondent/Complainant

2. R.Murugasamy.

... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., pleased to call for the records in C.C.No.149 of 2019 on the file of Learned Judicial Magistrate No.IV, Puducherry and quash the same.

For Petitioners : Mr.K.Balu

For R1 : Mr.M.V.Ramachandra Moorthy
Additional Public Prosecutor,
Assisted by Mr.M.Thamizhmani.



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ORDER

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This Criminal Original Petition is filed to call for the records in C.C.No.149 of 2019 on the file of Learned Judicial Magistrate No.IV, Puducherry.

2. The First Information Report registered in the year 2017 on the instance of Sub-Inspector of Police, was investigated and final report filed in the year 2019. The Judicial Magistrate-IV, Puducherry, has taken final report on file and charges under Sections 294(b), 323 and 506(ii) of I.P.C r/w 34 of I.P.C been framed against two persons. The petitioner herein is the first accused and seeks quashment of the case on the ground that, F.I.R initiated by the Sub-Inspector of Police, due to enmity, been investigated in biased manner and final report filed without any iota of supporting material. The medical certificate indicates, the injury sustained by the complainant is simple in nature, but nowhere in the statement, the Doctor has mentioned the seat of injury.

3. The Learned Additional Public Prosecutor for the 1st respondent states that the case is set for examination of witnesses and there are only six witnesses to be examined in this case. Since there is enough material to try the



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accused persons, it is not a fit case to quash the complaint.

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4. Taking note of the fact that, the matter is pending for more than 4 years and the trial has not yet completed and at the same time, there is enough material to try the charges framed against the petitioner. It is suffice to direct the Judicial Magistrate – IV, Puducherry, to complete the trial expeditiously. The respondent police shall marshal all the six witnesses, in two consecutive days and complete the examination of the witnesses. The said process should be completed within period of one month, from today. Thereafter, the matter shall proceed to the next stage, like, 313 of Cr.P.C., questioning, defence witness and argument. The said process should be completed preferably within another two months.

5. With the above observation, this ***Criminal Original Petition is disposed of.*** Consequently, connected Miscellaneous Petitions are closed.

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Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm

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Copy to:-

1. The Inspector of Police,
Bahour Police Station,
Puducherry.
2. The Public Prosecutor (Puducherry), High Court, Chennai.



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DR.G.JAYACHANDRAN, J.

bsm

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