



Crl.O.P.(MD)No.5691 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5691 of 2023 and
Crl.M.P(MD).Nos.4971 and 4972 of 2023

1. Chinnaraja

2. Soundararajan

3. Dharmarajan

4. Arivalagan

...Petitioners/A1 to A4

Vs.

1.The Inspector of Police,
Bhoothalur Police Station,
Thanjavur District.
(Crime No.19/2018)

... 1st Respondent/Complainant

2. Agathian

...2nd Respondent/ Defacto complainant

PRAYER: This Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the Charge Sheet in CC No. 137/2022 on the file of the learned Judicial Magistrate, Thiruvaiyur, Thanjavur District and quash the same.

1/5



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For Petitioners : Mr.V.Malaiyendran

For Respondent : Mr.S.Manikandan

Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the Charge Sheet in CC No.137/2022 on the file of the learned Judicial Magistrate, Thiruvaiyur, Thanjavur District and quash the same.

2. After going through the file as well as the arguments made by the learned counsel appearing on either side, this Court is not convinced with regard to the submission made in the petition seeking for quashment of charge sheet on the points that the place of occurrence has been wrongly mentioned in the Mahazar, the injuries noted is also wrong.

3. All these matters are for the trial Court to consider. This fact cannot be taken into at this stage.



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4. Hence, without going into the merits of the case, this Criminal Original Petition stands dismissed. However, considering the age of the 3rd petitioner, his personal appearance before the trial Court is dispensed with the following condition:

The petitioner shall appear before the Judicial Magistrate, Thiruvaiyar, Thanjavur District within a period of 15 days from the date of receipt of a copy of this order and file an undertaking affidavit, by affixing his recent passport size photographs, to the effect that he will appear before the trial Court as and when required and must ensure his proper representation through Advocate.”

Consequently, connected Miscellaneous Petitions are closed.

28.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
trp



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WEB COPY To

- 1 The Judicial Magistrate,
Thiruvaiyur, Thanjavur District
- 2.The Inspector of Police,
Bhoothalur Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

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Order made in
CrI.O.P.(MD)No.5691 of 2023 and
CrI.M.P(MD).Nos.4971 and 4972 of 2023

Dated : 28.03.2023