



Crl.O.P.(MD)No.18066 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **10.10.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P.(MD)No.18066 of 2023

and

Crl.M.P.(MD)Nos.14292 & 14293 of 2023

BajluNisha

... Petitioner/sole accused

Vs.

1.The Inspector of Police,
E.Pudur Police Station,
Trichy.
(Crime No.647/2022)

2.Subaitha

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the charge sheet in S.T.C.No.2841 of 2023 dated 02.06.2023 pending on the file of the Judicial Magistrate Court No.II, Tiruchirappalli and quash the same as illegal.

For petitioner : Mr.C.M.Arumugam

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)



Crl.O.P.(MD)No.18066 of 2023

WEB COPY

ORDER

This petition has been filed seeking to quash the charge sheet in S.T.C.No.2841 of 2023 dated 02.06.2023 pending on the file of the learned Judicial Magistrate No.II, Tiruchirappalli.

2.The petitioner is the sole accused in Crime No.647/2022 on the file of the first respondent and charged for the offences under Sections 294(b) and 323 IPC in S.T.C.No.2841 of 2023. Seeking quashment of the same, this petition has been filed on various grounds.

3.The learned Government Advocate (Crl.Side) would submit that investigation of the complaint given by the defacto complainant/second respondent revealed that the defacto complainant was assaulted by the petitioner and only on that ground the final report has been filed against the petitioner.

4.Heard the submissions made on either side and perused the materials placed on record.



Crl.O.P.(MD)No.18066 of 2023

5.Perusal of the statement of the Assistant Professor, MGM Government Hospital, Thiruchirappalli recorded under Section 161(3) Cr.P.C., shows that the defacto complainant was admitted in the hospital as in patient with some external injuries. The injuries were found to be simple in nature. As this is a case of assault supported by the report of the Medical Officer, the question of quashing of charge sheet does not arise at all.

6.In view of the above, I find no reason to entertain this petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

10.10.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Judicial Magistrate Court No.II,
Tiruchirappalli
- 2.The Inspector of Police,
E.Pudur Police Station,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P.(MD)No.18066 of 2023

G.ILANGOVAN. J.

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Crl.O.P.(MD)No.18066 of 2023

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