



Crl.O.P.(MD) No.19148 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.19148 of 2023
and Crl.M.P.(MD).Nos.15097 & 15098 of 2023

Nagarajan

...Petitioner / Accused No.2

Vs.

1.State Rep. by its,
The Inspector of Police,
VK Puarm Police Station,
Tirunelveli District.
(In C.C. No.525 of 2021)

...1st Respondent / Complainant

2.Dhanushkodi

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.320 of 2022 in Learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District, Quash the same as against the Petitioner/Accused No.2 as illegal.

For Petitioner :Mr.N.Mohideen Basha

For Respondent :Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.320 of 2022 on the file of the learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.525 of 2021 for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC, against the petitioner.

3.The learned Government Advocate (Crl. Side) would submitted that after the investigation, the name of the petitioner was deleted from the array of the accused and alteration report was also filed on 15th September 2021 before the learned Judicial Magistrate, Ambasamuthiram. But, by mistake at the time of filing final report in column No.12, this petitioner has been shown as accused. Only on that basis summon has been issued to the petitioner. But, in the contents of the final report, no indication against this petition.



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4.Since it is mistake committed by the Investigating Officer at the time of filing of final report, this Court is inclined to quash the C.C.No.320 of 2022 pending on the file of the learned Judicial Magistrate, Ambasamuthiram.

5.In view of the above, the charge sheet filed in C.C.No.320 of 2022 before the learned Judicial Magistrate, Ambasamuthiram, is hereby quashed in respect of this petitioner. Accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

30.10.2023

TM

To

1.The Judicial Magistrate, Ambasamuthiram, Tirunelveli District.

2.The Inspector of Police,
VK Puarm Police Station,
Tirunelveli District.
(In C.C. No.525 of 2021)

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGOVA. J.

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