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Crl.O.P.(MD)No.19724 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.12.2023

CORAM:

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

Crl.O.P.(MD) No.19724 of 2023

and

Crl.M.P.(MD) Nos.15456 & 15457 of 2023

Vijayakumar

... Petitioner/5th Accused

Vs.

1.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
Crime No. 447 of 2021.

...1st Respondent/Complainant

2.Muralithasan

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned criminal proceedings in S.C No. 65 of 2023 on the file of the learned Sub Court, Mudukulathur and quash the same as illegal.

For Petitioner : Mr.T.Veerakumar

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



ORDER

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This Criminal Original Petition is filed to call for the records relating to the impugned criminal proceedings in S.C.No.65 of 2023 on the file of the learned Sub Court, Mudukulathur, and quash the same as illegal.

2. The trial already is commenced. Report is received from the concerned trial Court stating that six witnesses have been examined. But none was cross examined by the defence side. It is posted for examination of P.W.8.

3. What are all the defences that are available to the petitioner can be taken by him before the concerned trial Court itself. There is no question of quashment of Charge Sheet on mid way.

4. Now the grievance of the petitioner is that either in the First Information Report or the Final Report, the petitioner's name is mentioned. During taking cognizance only, this petitioner's name has been implicated or included as an accused.



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5. How and why the name of the petitioner has been included as the accused is a matter for trial. I find no reason to entertain this petition at this stage. Hence, this Criminal Original Petition deserves to be dismissed and accordingly dismissed. Consequently, connected Miscellaneous Petitions are closed.

19.12.2023

Index : Yes/No

Internet : Yes/No

Indu

To

- 1.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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