



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5130 of 2024
and Crl.MP.Nos.3737 & 3738 of 2024

1.P.Pattabiraman

2.A.Baskaran

3.S.Palanivel

4.A.Mohan

5.G.Mohan Doss

6.G.Chithravel

7.S.Bala

8.S.Madhavan

.. Petitioners 1-8
/Accused 1,2,4,5,6,7,8 & 9

vs.

1.The Inspector of Police
Edaiyur Police Station
Thiruvarur District.

..1st Respondent /Complainant

2.R.Govindaraj

..De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.42 of 2021 on the file of the Judicial Magistrate, Thiruthuraipoondi and quash the same.

For Petitioners : Mr.S.Nagarajan

For Respondents : Mr.A.Gopinath
Government Advocate
for R1



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ORDER

This petition has been filed to quash the proceedings in C.C.No.42 of 2021, pending on the file of the Judicial Magistrate, Thiruthuraipoondi

2. The grounds raised by the counsel for the petitioners are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. The facts of this case and grounds raised the quash petition does not fall within the parameters laid down by the Apex Court in **Bhajan Lal case** reported in **(1992) Suppl (1) SCC 335**. It is left open to the petitioners to raise all the grounds before the Court and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.

3. Accordingly, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in C.C.No.42 of 2021, within a period of **six months** from the date of receipt of copy of this order. Consequently, connected miscellaneous petition are closed.

05.03.2024

Index : Yes/No

Internet : Yes/No

<https://www.mhc.tn.gov.in/judis>

Speaking Order/Non-Speaking Order



To

- 1.The Inspector of Police
Edaiyur Police Station
Thiruvavarur District.
- 2.Judicial Magistrate
Thiruthuraipoondi.
3. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,. J.

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