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Criminal Original Petition No.3343 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3343 of 2024
and
Crl.MP.No.2464 of 2024

1.Sasikumar
S/o.Selladurai

2.Jayaraguraman
S/o.Jayaraman

3.Palanisamy
S/o.Samidurai

4.Hasan Basha
S/o.Rauff

...Petitioners

Vs

1.The State Rep. by
The Inspector of Police
Neyveli Township Police Station
Cuddalore District

2.Nabisa
W/o.Anthonysamy
b-12, Magnet Street
Block 26, Neyveli 3

... Respondents



Criminal Original Petition No.3343 of 2024

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to C.C.No.86 of 2019 pending on the file of Judicial Magistrate, Neyveli and quash the same.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This petition has been filed challenging the proceedings initiated by the respondents against the petitioner under Section 420, 294(b) and 506(2) of IPC.

2. The grounds raised by the counsel for the petitioner 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 petitioner 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.



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3. Accordingly, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in C.C.No.86 of 2019, pending on the file of Judicial Magistrate, Neyveli, within a period of six months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is also closed.

15.02.2024

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

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To

1.The Inspector of Police
Neyveli Township Police Station
Cuddalore District

2.The Judicial Magistrate,
Neyveli

3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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