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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.3611 of 2024
and CrI.M.P Nos.2660 & 2661 of 2024

1.Vinoth

2.K.Vinoth Kumar

...Petitioners /Accused 1 and 2

.Vs.

The State of Tamil Nadu
Rep.by its Sub-Inspector of Police
Thittakudi Police Station
Cuddalore District-606 106.

...1st Respondent /Complainant

Dr.Sebanatham
Chief Medical Officer
Govt.Hospital, Thittagudi
Cuddalore District.

..2nd respondent/de facto complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in STC No.449 of 2023, on the file of Judicial Magistrate, Tittakudi, Cuddalore District and quash the criminal proceedings initiated against the petitioner herein.

For Petitioner : Mrs.Rekha Sivakumar

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side) for R1

**ORDER**

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This petition has been filed seeking to quash the proceedings in STC No.449 of 2023, pending on the file of Judicial Magistrate, Tittakudi, Cuddalore District.

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 disposed of and the Court below is directed to complete the proceedings in STC.No.449 of 2023, as expeditiously as possible. Consequently, the connected miscellaneous petitions are also closed.

19.02.2024

Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

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To

1.Sub-Inspector of Police
Thittakudi Police Station
Cuddalore District-606 106.

2.Dr.Sebanatham
Chief Medical Officer
Govt.Hospital, Thittagudi
Cuddalore District.

3. Judicial Magistrate
Tittakudi, Cuddalore District.

4.The Public Prosecutor,
High Court of Madras,
Madras.



4

N.ANAND VENKATESH.J.,

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CRL.O.P No.3611 of 2024

19.02.2024