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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.4709 of 2024
and CrI.M.P Nos.3433 & 3434 of 2024

1.Mr.AbubakkarChithik
2.Mr.MansoorAhamed
3.Mr.Raj Mohamed
4.Mr.Koyya Sadik
5.Mr.Bahrudeen
6.Mr.Jehabar Ali
7.Mr.Haleel Rahuman ...Petitioners /1,5 to 10 accused

.Vs.

1.State rep.by its
The Inspector of Police
Muthupettai Police Station
Thiruvarur.
(Cr.No.873/2021)

2.Mr.Purushothaman ..Respondents/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in STC No.354 of 2021, pending on the file of Judicial Magistrate Court, Thiruthuraipoondi and quash the same as illegal and without jurisdiction.

For Petitioners : Mr.IAbdul Basith

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

**ORDER**

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This petition has been filed seeking to quash the proceedings in STC No.354 of 2021, pending on the file of Judicial Magistrate Court, 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 disposed of and the Court below is directed to complete the proceedings in STC.No.354 of 2021, as expeditiously as possible. Consequently, the connected miscellaneous petitions are also closed.

29.02.2024

Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

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To

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





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4

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CRL.O.P No.4709 of 2024

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