



Crl.O.P.No.8128 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8128 of 2024

Mohan

... Petitioner/Accused No.5

/versus/

1. State Rep. By
Deputy Superintendent of Police,
Thirukoilur,
Kallakurichi District.

2. State Rep. by,
Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
(Crime No.31 of 2023)

... 1st and 2nd Respondent/Complainant

3. Mr.Sathiyaraj.

... 3rd Respondent/defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the case in SC.No.80 of 2024 pending on the file of the Learned Principal District and Sessions Court, Kallakurichi District and quash the same.

For Petitioner : Mr.K.Vasanthanayagan

For Respondent : Mr.K.M.D.Muhilan.
Government Advocate (Crl.Side)



Crl.O.P.No.8128 of 2024

ORDER

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This Criminal Original Petition is filed to quash the SC.No.80 of 2024 on the file of the Learned Principal District and Sessions Court, Kallakurichi District.

2. The Learned Counsel appearing for the petitioner who is the 5th accused in this case would submit that it is a foisted case invoking Special Act so as to victimise the petitioner herein, who is the Law Graduate and because of the false complaint, his prospect been affected. Further, the Learned Counsel also submitted that the parties have settled the dispute among themselves and they want to compromise the matter. Though, the submission made by the Learned Counsel appears to be permissive, however, Law does not permits for recording the compromise. The ground raised by the Learned Counsel for the petitioner has to be agitated before the trial Court either by adducing evidence or by cross examining the prosecution witnesses, without prejudice to the right of deriving all these points.



Crl.O.P.No.8128 of 2024

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3. In view of the above, this Criminal Original Petition is dismissed with a direction to the trial Court to complete the trial preferably within a period of four months from today.

05.04.2024

Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm.

Copy to:-

1. The Deputy Superintendent of Police,
Thirukoilur, Kallakurichi District.
2. The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
3. The Public Prosecutor, High Court, Madras.



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Crl.O.P.No.8128 of 2024

DR.G.JAYACHANDRAN, J.

bsm

Crl.O.P.No.8128 of 2024

05.04.2024

Page No.4/4