



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5562 of 2024
and Crl.MP.Nos.4053 & 4056 of 2024

1.Elango

2.Ganesan

3.Rekha

.. Petitioners 1 to 3/ Accused A1 to A3

vs.

1.State rep.by

The Inspector of Police

Gudiyatham Taluk Police Station

Vellore District.

.. Respondent /Complainant

2.Kuppammal

..Respondent/ De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the proceedings in C.C.No.248 of 2022, on the file of Judicial Magistrate at Gudiyatham and quash the same.

For Petitioner : Mr.J.Kannan

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

ORDER

This petition has been filed to quash the proceedings in C.C.No.248 of 2022,



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. The learned Government Advocate (Crl.Side) also brought to the notice of this Court that the trial has already commenced and four witnesses have already been examined on the side of the prosecution. This is yet another reason as to why this Court is not inclined to entertain this quash petition.

4. Accordingly, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in C.C.No.248 of 2022, within a period of **three months** from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

08.03.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
kp



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To

1. The Inspector of Police
Gudiyatham Taluk Police Station
Vellore District.
2. Judicial Magistrate at Gudiyatham.
3. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,, J.

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