



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2024

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CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5775 of 2024
and CRL.M.P No.4210 of 2024

Yuvaraj

...Petitioner

Vs.

1.The State Rep. by:
The Inspector of Police,
All Women Police Station, Namakkal,
Namakkal District.
(Crime No.01 of 2022)

2.Santhiya

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to case in PRC No.26 of 2023 on the file of Additional Mahila Court, Namakkal and quash the same.

For Petitioner : Mr.M.Subash

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Sections 366, 376 and 354C of IPC and

Section 67A of the Information Technology (Amendment) Act, 2009.



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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 below 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 dismissed. Consequently, connected miscellaneous petition is closed.

11.03.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
ssr

To

1.The Additional Mahila Court, Namakkal.



2.The Inspector of Police,
All Women Police Station, Namakkal,
Namakkal District.

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3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

ssr

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