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Crl. O.P. No. 8005 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 02.04.2024

CORAM

**THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN**

Crl. O.P. No. 8005 of 2024

and

Crl. M.P. Nos. 5813 & 5816 of 2024

Thamodharan

... Petitioner

Vs.

1. The State rep., by its  
The Sub Inspector of Police,  
Puduchatram Police Station,  
Namakkal District.

2. Vijayaragavan

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records connected with the charge sheet in STC.No.288 of 2023, pending on the file of the Judicial Magistrate No.II, Namakkal and quash the same.

For Petitioner : Mr. S. Varanesh

For Respondents : Mr. K.M.D. Muhilan, for R1  
Government Advocate (Crl. Side)



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## **ORDER**

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The Criminal Original Petition is filed to quash the final report in S.T.C.No. 288 of 2023 on the file of Judicial Magistrate No.II, Namakkal, based on the allegation that the statements of witnesses does not make out charge for offence under Section 294 (b) and 323 IPC.

2. Learned counsel for the petitioner submits that it is a case and case in counter. The alleged occurrence is exaggerated by the defacto complainant, he had not sustained any injury and no obscene utterance in public being said by the petitioner.

3. However, on perusing the 161 statements and the FIR, this Court finds it otherwise. Hence, the petition to quash the final report in S.T.C.No.288 of 2023 on the file of Judicial Magistrate No.II, Namakkal stands dismissed. Consequently, the connected miscellaneous petitions are closed.



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4. The defence taken by the petitioner is always open to him to canvass before the trial Court. Since the case is of the year 2023, the Judicial Magistrate No.II, Namakkal shall take up the trial out of turn and dispose it of at the earliest, preferably within a period of six months from the date of receipt of copy of this order.

**02.04.2024**

Index : Yes/No

Neutral Citation : Yes/No

AT

To

The Sub Inspector of Police,  
Puduchatram Police Station,  
Namakkal District.



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**Dr.G.JAYACHANDRAN, J.**

AT

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