



Crl.O.P.No.8163 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.8163 of 2024
& Crl.M.P.No.5948 of 2024
& Crl.M.P.No.5949 of 2024

K.Rajakumari

... Petitioners/3rd Accused
/versus/

1. The State Rep. by.
Inspector of Police,
Valathy Police Station,
Villupuram District.
(Crime No.160 of 2021)

... 1st respondent/Complainant

2. Mrs.Kalaivani.

...2nd Respondent/defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the proceedings in C.C.No.125 of 2022, pending on the file of Judicial Magistrate, Gingee and quash the same.

For Petitioner : Mr.R.Venkatesan

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



Crl.O.P.No.8163 of 2024

ORDER

The petition to quash the C.C.No.125 of 2022 pending on the file of Judicial Magistrate Gingee.

2. The Learned Counsel appearing for the petitioner submitted that the case and case-in-counter. The complaint given by the petitioner registered in Crime No.161 of 2021 not properly investigated and closed as mistake of fact. Whereas, the false complaint given by the defacto complainant in Crime No.162 of 2021 taken for investigation and final report filed. Though, there is no weapon recovered, the charge for offence under Section 324 of I.P.C also been framed against the petitioner, besides Section 294 (b), 323 & 506 (2) of I.P.C and Section 4 of Tamil Nadu Harassment of Women Act.

3. The Learned Government Advocate (Crl.Side) appearing for the 1st respondent police submit that the trial Court on material placed by the prosecution, had framed charges and caused summons to the witnesses. The trial is to be commenced from 25.04.2024.



CrI.O.P.No.8163 of 2024

4. Taking note of the submissions, this Court is of the view that the grounds raised by the petitioner are to agitate before the trial Court and mini trial cannot be conducted by the Hon'ble High Court in exercise of power under Section 482 of Cr.P.C.

5. With the above observation, this Criminal Original Petition is disposed of with a direction to the trial Court to complete the trial, within a period of four months, from the date of receipt of the order copy. Consequently, connected Miscellaneous Petitions are closed.

05.04.2024

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

Copy to:-

1. The Judicial Magistrate, Gingee.
2. The Inspector of Police, Valathy Police Station, Villupuram District.
3. The Public Prosecutor, High Court, Madras.



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Crl.O.P.No.8163 of 2024

Dr.G.JAYACHANDRAN,J.

bsm

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