



Crl.O.P.No.8628 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:10.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8628 of 2024

and

Crl.M.P.No.6257 of 2024

Sigamani

.. Petitioner

/versus/

1.The State rep.by
The Inspector of Police,
Anakkavoor Police Station,
Tiruvannamalai District.

2.Thiyagarajan

.. Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C.,to call for the records in S.C.No.15 of 2020 in Crime No.82 of 2018 on the file of the learned Subordinate Judge, Cheyyar, Tiruvannamalai District and quash the charge as against the petitioner/accused-5 herein.

For Petitioner :M/s Ilayaraja Kandasamy

For Respondent : Mr.K.M.D.Muhilan
Governmet Advocate (Crl.Side)
for R1



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ORDER

The petitioner herein who is arrayed as 5th accused taking a plea of alibi seeking quashment of the complaint, which is under trial in S.C.No.15 of 2020 on the file of the Subordinate Judge, Cheyyar, Tiruvannamalai. The defence of alibi is a question of fact which has to be established in the due course of trial. The High Court in exercising power under Section 482 of Cr.P.C., without testing the veracity of the documents filed in support of the defence cannot quash the complaint. It is open to the petitioner herein to produce those documents during the course of trial and prove his defence of alibi, as he was attending the class in his Institute. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

10.04.2024

Index:yes/no
Neutral Citation:yes/no
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WEB COPY To:

- 1.The Subordinate Judge, Cheyyar, Tiruvannamalai District.
- 2.The Inspector of Police, Anakkavoor Police Station,
Tiruvannamalai District.



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DR.G.JAYACHANDRAN,J.

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