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Crl.OP.No.14073 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.14073 of 2024

and

Crl.MP.Nos.8576 and 8580 of 2024

Nagulan

... Petitioner

Vs.

1. The State Represented by
the Inspector of Police,
Velipalayam Police Station,
Nagapattinam District,
Nagapattinam.
(F.I.R.No.1416 of 2020)

2. Kathiravan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to charge sheet in C.C.No.436 of 2023 dated 29.04.2024 on the file of the learned Judicial Magistrate-II at Nagapattinam as against the petitioner and quash the same.

For Petitioner : Mr.S.John Josh

For 1st Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

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The petitioner herein is the 4th accused in C.C.No.436 of 2023 on the file of the learned Judicial Magistrate-II, Nagapattinam prayed for quash of the final report stating that he is an innocent person and all probability the charge sheet cannot be sustained and the F.I.R itself is a motivated complaint.

2. The learned Government Advocate (Crl.Side) appearing for the respondent police on instructions from the Investigating Officer submitted that the petitioner is one of the named accused persons in the complaint registered for the offence under Sections 147, 148, 294(b), 324, 427, 506(ii) and 341 of IPC. The overt act of the petitioner is explicitly stated in the complaint and in the course of the investigation, independent witness as well as the injured witness had spoken about the act of the accused who had attacked the defacto complainant and also snatched his cell phone from the complainant who tried to contact his friends for help, since *prima facie* material is available to proceed against this petitioner.



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3. Taking into consideration the facts and the circumstances, this

Court finds that this is not a case to interfere and quash at pretrial stage.

Hence, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed.

19.06.2024

Vv

To

1. The Inspector of Police,
Velipalayam Police Station,
Nagapattinam District,
Nagapattinam.

2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G. JAYACHANDRAN, J.

Vv

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