



Crl.O.P.No.14485 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:21.06.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P. No.14485 of 2024
&
Crl.M.P.Nos.8836 & 8838 of 2024

Mr.G.Venkateshan

.. Petitioner

/versus/

1.The State rep by
The Inspector of Police,
Keevalur Police Station,
Nagapattinam,
(Crime No.258 of 2021)

2.S.Bagyalakshmi

.. Respondents

Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to call for the records pertaining to charge sheet C.C.No.189 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Kilvelur, Nagapattinam District and quash the same.



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

ORDER

The petitioner herein has filed to quash the charge sheet in C.C.No.189 of 2024 on the file of the District Munsif cum Judicial Magistrate, Kilvelur, Nagapattinam District.

2.The learned counsel appearing for the petitioner submits that the ingredient to proceed against the petitioner from the material collected by the Investigating Officer does not constitute the offences punishable under Sections 173, 294(b), 323, 353, 427 of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. Further, he submits that the complainant, Bailiff attached to the District Munsif Court, Nagapattinam, had tried to serve summon on holiday, which was questioned by the petitioner herein and also assaulted him, thereby causing simple hurt. The statements of the witnesses and the evidence relied by the prosecution provides *prima facie* material to proceed against



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the petitioner. Hence, the Final Report cannot be quashed.

3. The learned counsel appearing for the petitioner submits that the petitioner realise his mistake and he wants to apology for his conduct. If it is so, he has to workout his remedy before the trial Court by resorting to Section 265-B of Cr.P.C. plea bargaining. If any such application filed before the trial Court, it shall follow the procedure contemplated under Chapter XXI-A of Cr.P.C., and proceed in accordance with law.

4. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

21.06.2024

Index:yes/no
Speaking order:yes/no
Neutral citation:yes/no
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To:



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- 1.The District Munsif cum Judicial Magistrate, Kilvelur, Nagapattinam
Distric
- 2.The Inspector of Police, Keevalur Police Station, Nagapattinam,
- 3.The Public Prosecutor, High Court, Madras.

DR.G.JAYACHANDRAN,



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