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Crl.O.P.No.15901 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM :

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

**Crl.O.P.No.15901 of 2024
and Crl.M.P.Nos.9698 and 9702 of 2024**

R.Thiyagarajan

.. Petitioner

Versus

**1. The Inspector of Police,
Chettipalayam,
Coimbatore District.
(Crime No.65 of 2019)**

2. Sathish

.. Respondents

Prayer in Crl.O.P.No.7841 of 2020 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the final report in C.C.No.112 of 2023, on the file of the learned District Munsif-cum-Judicial Magistrate, Madukkarai and quash the same as devoid of merits.

For Petitioner : Mr.B.Sargunam

**For Respondents : Mr.S.Udaya Kumar,
Government Advocate
(Crl. Side) for R1**



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ORDER

This petition is filed seeking to quash C.C.No.112 of 2023 on the file of the learned District Magistrate-cum-Judicial Magistrate, Madukkarai.

2. The petitioner herein, a student of an Engineering College, along with the other college mates, is alleged to have attacked one Sathish, an auto driver, who had gone to the college campus to question them about their ragging of a co-student. In the said mili, this petitioner and other had attacked Sathish and his friend Prabhakaran with stone. One of the accused by name Shankar had attacked them with a long knife. The injured victim was taken to a hospital and got treated. An F.I.R was registered on 01.04.2019 and Final Report was filed on 09.08.2019 for the offences under Sections 294(b), 506(ii) and 326 of I.P.C as against three persons.

3. Learned Counsel for the petitioner submits that the petitioner went to the scene of crime to prevent the occurrence and compromise the fighting in two groups. Infact, the de-facto complainant is not a college student, but, a professional rowdy who was called for help by one Dinesh, a student of Hindusthan college. Therefore, seeks to quash the complaint stating that the



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F.I.R was against six named accused, whereas, the Police has dropped three accused and filed final report against rest of the three.

4. Learned Government Advocate (Crl. Side) submits that after receipt of the complaint, investigation was conducted and found overtact against three accused. As far as this petitioner is concerned, the victim had stated that he, along with two others, hit him on chest with stone causing contusion. The photographs collected also indicate the presence of the accused and in action. Therefore, this is a case for trial.

5. Considering the material available, this Court finds that commission of a cognizable offence is palpably seen from the photographs and also been spoken by the victim/informant.

6. Therefore, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

01.08.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no



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To

1. The District Munsif-cum-Judicial Magistrate,
Madukkarai.
2. The Inspector of Police,
Chettipalayam,
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

grs

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