



Crl.O.P.No.8798 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.8798 of 2022
and
Crl.M.P.Nos.5126 & 5127 of 2022

1. M.Dharmaraj
2. D.Saranraj

... Petitioners

Versus

1. State rep. by
The Inspector of Police,
District Crime Branch,
Namakkal.
(Crime No.8 of 2019)

2. Kalaiselvan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the charge sheet in respect of C.C.No. 234 of 2019 on the file of the learned Judicial Magistrate No.1, Namakkal.

For Petitioners : Mr.S.Panneerselvan



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For Respondents : Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side) for R1

Mr.T.Gowthaman,
Senior Advocate for
Mr.B.Pachaiyappan for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C. No. 234 of 2019 on the file of learned Judicial Magistrate No.1, Namakkal.

2. Heard both sides.

3. The petitioners are ranked as A1 and A2 in the F.I.R. in Crime No.8 of 2019 registered for the offence under Sec.420 and 506(2) of I.P.C. Subsequently, the charge sheet has been filed and the same was taken on file in C.C.No.234 of 2019 on the file of learned Judicial Magistrate No.1, Namakkal, and the same is pending. Now, the petitioner had filed this petition praying to quash the said charge sheet.

4. Today, when the matter taken up for hearing, the learned Government Advocate (Criminal side) appearing for 1st respondent would submit that so far, out of nine witnesses, four witnesses were examined



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and the trial is at part-heard stage. Hence, he prayed to dismiss this petition.

5. On considering the submissions of learned Government Advocate stating that as on date, four witnesses were examined out of nine witnesses and the trial is at part-heard stage, this Court is inclined to dismiss this petition. Accordingly, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioners to work out their remedy and raise all their defence before the trial court. Consequently, connected Criminal Miscellaneous Petitions are closed.

02.02.2024

Index: Yes/No
Internet: Yes/No
rpp

To

1. The Inspector of Police,
District Crime Branch,
Namakkal.
2. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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