



WEB COPY



CrI.O.P.No.25304 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.25304 of 2024

and

CrI.M.P.No.14166 of 2024

1.Voilet Mary
2.Raja
3.Stephenraj @ KhoKho
4.Michealraj @ Kuttyma

... Petitioners

Vs.

1.The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai.
(Crime No.02 / 2023)

2.Paulraj

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, pleaded to call for record and quash the proceedings pending trial in C.C. No.4669/2023 on the file of the II Metropolitan Magistrate, Egmore, Chennai as an abuse of process of law.

For Petitioners : Mr.M.Saravanan

For R1 : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)



CrI.O.P.No.25304 of 2024

ORDER

This Criminal Original Petition is filed to quash the C.C.No.4669 of 2023 pending on the file of the II Metropolitan Magistrate, Egmore, Chennai. The petitioners are facing trial for charges under Sections 341, 294(b), 326, 506(ii) IPC r/w 34 IPC.

2. The learned counsel appearing for the petitioners submits that the defacto complainant is the aggressor. Due to property dispute between the family members, who have exaggerated, false complaint been given and also submits that there is contradiction between the statement given to the police and deposition of the petitioners.

3. This Court, after perusing the records, is of the view that since the trial has commenced and the witnesses have been examined. The petitioners are facing trial and to discharge the contradiction, now pointed out cannot be considered in this petition before completion of trial and it is for the trial Court to appreciate the evidence and arrive at appropriate decision.

4. Hence this Criminal Original Petition is dismissed without



CrI.O.P.No.25304 of 2024

prejudice to the right of the petitioners to point out the contradiction in the evidence and impress upon the trial Court for acquittal. Consequently, the connected Criminal Miscellaneous Petition is closed.

15.10.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The The Inspector of Police,
G-5, Secretariat Colony Police Station,
Chennai.

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

Dr.G.JAYACHANDRAN,J.



WEB COPY



CrI.O.P.No.25304 of 2024

rpl

CrI.O.P.No.25304 of 2024

15.10.2024