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CrI.O.P.No.32009 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.32009 of 2024

and

CrI.M.P.Nos.18232 & 18233 of 2024

1. Radha @ Radhakrishnan

2. Mani @ Manikandan

... Petitioners

Vs

1. The State represented by
The Inspector of Police,
D-6 (Law and Order)
Anna Square Police Station,
Triplicane,
Chennai - 5.

2. Sentamizh selvi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records culminating in the impugned C.C.No.3260 of 2023 pending on the file of the II Metropolitan Magistrate Court at Egmore, Chennai and quash the same as against the petitioner.

For Petitioners : Mr.M.Yazar Arafath

For R1 : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to call for the records of C.C.No.3260 of 2023 pending on the file of the II Metropolitan Magistrate Court at Egmore, Chennai and quash the same as against the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police and perused the materials available on record.

3. It is stated by the learned counsel for the petitioners that based on the complaint, a case in Crime No.80 of 2022 was filed as against the petitioners on 18.04.2022 itself, whereas the charge sheet has been filed by the respondent police on 01.02.2023 with delay.

4. On a perusal of the records, it is seen that case was registered as against the petitioners on 18.04.2022 for the offence under Sections



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294(b) and 324 IPC and subsequently, after completion of investigation, charge sheet was filed as against the petitioners for the offence under Sections 294(b), 324 read with Section 34 IPC and Section 4 of TNPHW Act on 10.01.2023 within the period of limitation and the same was taken on file in C.C.No.3260 of 2023 on the file of the II Metropolitan Magistrate Court, Egmore, Chennai. On a reading of the statement recorded under Section 161 Cr.P.C., by the investigating officer, it is found that prima facie allegations are made out as against the petitioners. Further, grounds raised by the petitioners are matter for trial. Hence, this Court is not inclined to allow this petition.

5. In view of the same, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed. However, the petitioners are at liberty to take all their defence before the trial court.

20.12.2024

mfa

Index: Yes/No



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Speaking Order: Yes/No
Neutral Citation: Yes/No

To

1. The Inspector of Police,
D-6 (Law and Order)
Anna Square Police Station,
Triplicane,
Chennai - 5.
2. The Public Prosecutor,
High Court, Chennai.

Copy to

The II Metropolitan Magistrate Court at Egmore, Chennai



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P.VELMURUGAN, J.

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