



Crl.O.P.(MD) No.4815 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.4815 of 2024

and

CRL.M.P.(MD)Nos.3772 & 3773 of 2024

1. Vinovishal
2. Ramesh
3. Naran
4. Gopinath
5. Sakthi
6. Tamilarasan @ Kulli

... Petitioners

Vs

1. The Sub Inspector of Police,
Velayuthampalayam Police Station,
Karur District.

2. Sureshkumar,

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to Call for the records pertaining to the case in C.C No. 677 of 2023 u/s 147, 285 and 353 of IPC pending trial on the file of the learned Judicial Magistrate No.II, Karur and quash the same as against the petitioners.



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For Petitioners : Mr.M.Saravanan
For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. side)

ORDER

This criminal original petition has been filed seeking to quash the final report in C.C No. 677 of 202 on the file of the learned Judicial Magistrate No.II, Karur.

2.The case of the prosecution is that the petitioner and other accused have negligently burst crackers endangering human life, on the road, without getting prior permission. Based on the complainant lodged by the de-facto complainant, the first Respondent had registered a case in Crime No.319 of 2022 against the accused for the offence punishable under Sections 147, 285 and 353 of I.P.C

3.The case of the petitioner is that the final report filed alleging commission of offences punishable under Sections 47, 285 and 353 of I.P.C are illegal. There are no ingredients to make out an offence under sections mentioned in the final report. Hence, the same is liable to be quashed.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the case is taken on file and the petitioner can very well establish his case before the trial Court.

5.This Court considered the rival submissions made.

6.All the grounds raised by the petitioner herein can very well be raised by the petitioner before the trial Court and can establish his case in the trial. Therefore, this Court is not inclined to entertain this petition.

7.Accordingly, this criminal original petition is dismissed with liberty to the petitioner to raise all these grounds before the trial Court. Consequently, connected miscellaneous petitions are closed.

NCC : Yes/No
Internet:Yes/No
Index:Yes/No

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B.PUGALENDHI, J.

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To

1. The Sub Inspector of Police,
Velayuthampalayam Police Station,
Karur District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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