



CrI.O.P.(MD) No.6014 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.6014 of 2024

and

CRL.M.P(MD).Nos.4503 & 4505 of 2024

- 1.Panda @ Yasin @ Mohammed Yasin
 - 2.Chenna @ Sivanesan @ Sivaneswaran
 - 3.Selva @ Selvakumar
 - 4.Moosin @ Muhsin Kamel
 - 5.Jainul @ Syed Jainul Abideen
 - 6.Aasik @ Mohammed Asick
 - 7.Hasan @ Mohammed Hasan
- ...Petitioners/Accused Nos.1 to 7

Vs

- 1.State rep. by
The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.
(Cr.No.88 of 2023)

- 2.Ajithkan
- ...Respondents/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the C.C.No.173 of 2023 on the file of the Judicial Magistrate, Devakottai and quash the same as illegal as against the petitioners.



Crl.O.P.(MD) No.6014 of 2024

For Petitioners : Mr.K.Anandraj

For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

The petitioners have filed this petition, seeking to quash the proceedings in C.C.No.173 of 2023 on the file of the Judicial Magistrate, Devakottai.

2. The case of the prosecution is that on 29.04.2023 there was a wordy quarrel between the petitioners and the de-facto complainant. Subsequently, on 30.04.2023 when the defacto complainant was returning home, the petitioners assaulted him and threatened with dire consequences, for which he lodged a complaint before the respondent police. Hence, the case has been registered against the petitioners.

3. The learned counsel for the petitioners submits that due to previous enmity, a false case has been foisted against the petitioners. Also, he submitted that the petitioners and the de-facto complainant belong to same area.



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4. The learned Government Advocate (CrI.Side) appearing for the first respondent submits that it is a matter for trial and these grounds can be raised before the trial Court.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (CrI.Side) appearing for the first respondent.

6. Though the petitioners have raised several grounds, this Court is of the opinion that it can be appreciated only during the trial. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioners to raise all these grounds before the trial Court, during the trial. Consequently, the connected miscellaneous petitions are closed.

24.04.2024

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

jbr

B.PUGALENDHI, J.

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To

1. The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

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

CRL.O.P (MD) No.6014 of 2024
and
CRL.M.P(MD).Nos.4503 & 4505 of 2024

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