



CrI.O.P.(MD)No.4991 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.4991 of 2024

and

CrI.M.P.(MD)Nos.3901 and 3902 of 2024

1. Rajendran

2. Vivek

... Petitioners/A3 and A4

versus

1. The State rep. by

The Inspector of Police,

Saptur Police Station,

Madurai.

(Crime No.2007 of 2020)

2. Amirtham

... Respondents

Petition filed under Section 482 Cr.P.C. to call for the records relating to the charge sheet in C.C.No.417 of 2022 on the file of Judicial Magistrate Court, Peraiyur and quash the same as illegal sofar as the petitioners are concerned.

For Petitioners : Mr.V.Vishnu



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For R1 : Mr.Senthilkumar,
Additional Public Prosecutor

ORDER

The petitioners are facing a charge before the learned Judicial Magistrate, Peraiyur in C.C.No.417 of 2022 for the offence punishable under Sections 429 and 506(i) IPC.

2. The case of the prosecution is that on 24.10.2010, the petitioners along with two other accused have sprinkled rice laced with pesticide in the defacto complainant's land and caused the death of 55 hens of the defacto complainant. Hence, a case has been registered.

3. The learned Additional Public Prosecutor appearing for the first respondent, by referring the FIR in Cr.No.2007/2020, submits that there are specific allegations as against the petitioners.

4. The learned counsel appearing for the petitioners submits that the second petitioner/A4 is the son of the first petitioner/A3 and he is



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working in a private company at Chennai and he was not available at the time of occurrence. However, he has been added as an accused in order to harass the petitioners' family.

5. Since there is a specific allegation against the petitioners, this Court is not inclined to entertain this petition. The petitioners can establish their innocence before the Trial Court by adducing evidence.

6. Accordingly, this Criminal Original Petition is dismissed. However, considering the fact that the second petitioner/accused No.4 is working in a private company at Chennai, the personal appearance of the second petitioner/accused No.4 before the Judicial Magistrate Court, Peraiyur, in C.C.No.417 of 2022, is dispensed with. Consequently, connected miscellaneous petitions are closed.

01.04.2024

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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To

1. The Judicial Magistrate Court,
Peraiyur.
2. The Inspector of Police,
Saptur Police Station,
Madurai.

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