



CrI.O.P. (MD)No.5329 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.5329 of 2024
and
CrI.M.P.(MD)Nos.4168 and 4169 of 2024

Abser Ussain,

... Petitioner

Vs

State represented by
1. The Inspector of Police,
B6, Jaihindpuram Police Station,
Madurai District.
(In Crime No.335 of 2014).

2. K.Veeramani,

... Respondents

PRAYER: Petition filed under Section 482 Cr.P.C. seeking to call for the entire relevant records pertaining to the impugned Charge Sheet in C.C.No. 423 of 2024 on the file of the Learned Judicial Magistrate No.4, Madurai dated 21.2.2024 and Quash the same.

For Petitioner : Mr.S.M.A.Jinnah

For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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Cr1.O.P. (MD) No.5329 of 2024

ORDER

The petitioner has filed this petition, seeking to quash the proceedings in charge sheet in C.C.No.423 of 2024 on the file of the learned Judicial Magistrate No.IV, Madurai.

2.The learned Counsel for the petitioner submits that in fact the petitioner is the real-victim and the offence has been committed by one Navaneethakrishnan, from whom the petitioner has bonafidely purchased the two-wheeler. Since the petitioner is a poor the police taking advantage of the same, has filed the final report as against the petitioner. Therefore, the proceedings shall be quashed as against the petitioner.

3.The learned Additional Public Prosecutor submits that it is a matter for trial and it can be raised before the trial Court.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.



Crl.O.P. (MD) No.5329 of 2024

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5. Though the petitioner has 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 petitioner to raise all these grounds before the trial Court, during trial. Consequently, connected miscellaneous petitions are closed.

05.04.2024

NCC : Yes / No.
Index : Yes / No.
Internet: Yes / No.
LR

To

1. The Judicial Magistrate No.IV,
Madurai.
2. The Inspector of Police,
B6, Jaihindpuram Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

3/4



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Crl.O.P. (MD)No.5329 of 2024

B.PUGALENDHI, J.

LR

Crl.O.P.(MD)No.5329 of 2024

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