



CrI.O.P.(MD) No.6090 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.6090 of 2024

and

CRL.M.P.(MD).Nos.4558 & 4559 of 2024

S.Manikandan

...Petitioner/Accused No.2

Vs

**1.The State rep. by
The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Cr.No.41 of 2022)**

2.D.Mahesh Babu

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to quash the proceedings in C.C.No.892 of 2023 on the file of the Judicial Magistrate No.II, Nagercoil, Kanyakumari District.

For Petitioner : Mr.C.Sankar Prakash

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



CrI.O.P.(MD) No.6090 of 2024

ORDER

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The petitioner has filed this petition, seeking to quash the proceedings in C.C.No.892 of 2023 on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanniyakumari District.

2. The case of the prosecution is that on 20.01.2022, A-1 came in a two wheeler with a pillion rider and the pillion rider fell down from the two wheeler. When the same was informed to the A-1 by the de-facto complainant, the petitioner and the A-1 abused him in filthy language. Hence, the case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is a coolie worker for daily wages and his family is depending upon him for survival. Also, he submitted that the petitioner has not committed any offence as alleged by the prosecution. Therefore, the proceedings shall be quashed as against the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the



Crl.O.P.(MD) No.6090 of 2024

first respondent submitted that it is a matter for trial and it can be raised before the trial Court.

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

6. 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 the trial. Consequently, the connected miscellaneous petitions are closed.

24.04.2024

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

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CrI.O.P.(MD) No.6090 of 2024

B.PUGALENDHI, J.

jbr

To

- 1.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.6090 of 2024

and

CRL.M.P.(MD).Nos.4558 & 4559 of 2024

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