



Crl.O.P.(MD) No.6064 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.6064 of 2024

and

CRL.M.P.(MD).Nos.4542 & 4543 of 2024

Stephen

As per the summon

A.Arul Stephenson

...Petitioner/Accused No.1

Vs

**1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Cr.No.298 of 2018)**

2.Shyla

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating in connection with the charge sheet in C.C.No.30 of 2020 pending on the file of the Judicial Magistrate, Eraniel and quash the same as against this petitioner.

For Petitioner : Mr.S.Ramakrishnan

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



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ORDER

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The petitioner has filed this petition, seeking to quash the proceedings in C.C.No.30 of 2020 on the file of the learned Judicial Magistrate, Eraniel.

2. The case of the prosecution is that when the defacto complainant was taking water from the well by using the pathway of one Zion Parai Church, the petitioner and others assembled and obstructed the pathway. When the same was questioned by the defacto complainant, the petitioner slapped her, abused in filthy language and threatened her. Hence, the case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is a practicing Lawyer at Kanyakumari District. The allegation against the petitioner is a false one. Therefore, the proceedings shall be quashed as against the petitioner.

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



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raised before the trial Court.

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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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B.PUGALENDHI, J.

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To

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

CRL.O.P (MD) No.6064 of 2024

and

CRL.M.P.(MD).Nos.4542 & 4543 of 2024

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