



Crl.O.P.(MD)No.7996 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.7996 of 2023

Bibin

... Petitioner

Vs

1. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No. 165/2019)

2. Elango

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in STC No. 522 of 2022 on the file of the Judicial Magistrate, Eraniel, Kanyakumari District and quash the same.

For Petitioner

: Mr.R.Russel Raj

For R1

: Mr.M.Sakthi Kumar
Government Advocate (Crl. side)



WEB COPY



CrI.O.P.(MD)No.7996 of 2023

ORDER

The petitioner is accused in STC.C.No.522 of 2022 on the file of the learned Judicial Magistrate, Eraniel, Kanniyakumari District, for the offence under Sections 341, 323, 294(b) and 506(i) IPC. He has filed this petition to quash the proceedings pending against him.

2. The case of the prosecution is that due to some dispute, the petitioner along with other accused abused the defacto complainant in filthy language and attacked him and also threatened him. Hence the case.

3. The learned Counsel for the petitioner submits that the petitioner is in abroad and the co-accused were acquitted by the trial Court. Hence, he prays to quash the proceedings in STC No.522 of 2022.

4. The learned Government Advocate (CrI. Side) submits that the co-accused have been acquitted on benefit of doubt.

5. Considering the submission of the learned Government Advocate (CrI. Side) that the trial Court has acquitted the co-accused on the benefit of doubt, this Court is not inclined to entertain this petition.



CrI.O.P.(MD)No.7996 of 2023

WEB COPY

6. Accordingly, this Criminal Original Petition is dismissed with a direction to the petitioner to appear before the trial Court and the trial Court is directed to conclude the trial as expeditiously as possible.

08.07.2024

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

To

1. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.

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



WEB COPY



CrI.O.P.(MD)No.7996 of 2023

B.PUGALENDHI,J

jbr

CrI.O.P.(MD)No.7996 of 2023

08.07.2024