



CRL.O.P (MD) No.8278 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.06.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.8278 of 2024

and

CRL.M.P.(MD)Nos.5625 & 5626 of 2024

1.G.Ananthan

2. Sivakumar

... Petitioners

Vs

1. State represented by
The Inspector of Police,
Thiurnagar Police Station,
Madurai City.
Crime No.256 of 2022.

2. Lakshmi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in connection with the CC.No.1639 of 2023 on the file of the learned Judicial Magistrate No.VI Madurai and quash the same.



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CRL.O.P (MD) No.8278 of 2024

For Petitioners : Mr.M.Jegadeesh Pandian

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This criminal original petition has been filed seeking to quash the final report in connection with the CC.No.1639 of 2023 on the file of the learned Judicial Magistrate No.VI Madurai

2.The case of the prosecution is that the accused have abused the de-facto complainant in filthy language, attacked her and also threatened her. Based on the complaint lodged by the de-facto complainant, the first Respondent had registered a case in Crime No.256 of 2022 against the accused for the offence punishable under Sections 147, 148, 447, 324 and 506(i) of IPC and after investigation, filed the final report as against the petitioner for the offence under Sections 147, 148, 447, 324 and 506(i) of IPC

3.The case of the petitioners is that after conducting investigation,



CRL.O.P (MD) No.8278 of 2024

the respondent police has filed alteration report by altering the offence under Section 447, 294(b), 506(ii) and 326 of IPC. The allegation levelled against the petitioners is vague and bald. There is no commission of offences so as to attract the penal provisions and there are no ingredients to make out an offence under the sections mentioned in the final report. Hence the same is liable to be quashed.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the case is taken on file and the petitioner can very well establish his case before the trial Court.

5.This Court considered the rival submissions made.

6.All the grounds raised by the petitioners herein can very well be raised by the petitioners before the trial Court, since it is a matter for trial and they can establish their case in the trial. Therefore, this Court is not inclined to entertain this petition.

7.Accordingly, this criminal original petition is dismissed with



CRL.O.P (MD) No.8278 of 2024

liberty to the petitioners to raise all these grounds before the trial Court.

Consequently, connected miscellaneous petitions are closed.

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

07.06.2024

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To

1. The Inspector of Police,
Thiurnagar Police Station,
Madurai City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL.O.P (MD) No.8278 of 2024

B.PUGALENDHI, J.

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CRL.O.P (MD) No.8278 of 2024

07.06.2024