



CRL.O.P (MD) No.9451 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.9451 of 2024

and

CRL.O.P.(MD)Nos.6449 & 6450 of 2024

Mahendiran

... Petitioner

Vs

1. State rep. by
The Inspector of Police,
Ramjee Nagar Police Station
Trichy District.
(Crime No.29/2023)

2. Harishkumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for records pertaining to the Charge sheet in STC No. 8820/2023 on the file of the learned Judicial Magistrate No.III, Trichy and quash the same as illegal in so far as the petitioner is concerned.

For Petitioner : Mr.T.Leninkumar

For R-1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)



CRL.O.P (MD) No.9451 of 2024

ORDER

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The petitioner has filed this petition, seeking to quash the proceedings in STC No.8820 of 2023 on the file of the Judicial Magistrate No.III, Trichy.

2. The case of the prosecution is that the petitioner and other accused demanded the defacto complainant to pay illegal gratification of Rs.10,00,000/- and also threatened him. Hence, the case.

3. The case of the petitioner is that the offence punishable under Sections 341 and 385 of I.P.C is illegal and contrary to the facts and circumstances to the present case. 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 first respondent submits that it is a matter for trial and these grounds can be raised before the trial Court.



CRL.O.P (MD) No.9451 of 2024

WEB COPY

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.

02.07.2024

NCC : Yes/No
Internet:Yes/No
Index:Yes/No
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CRL.O.P (MD) No.9451 of 2024

B.PUGALENDHI, J.

jbr

To

1. The Inspector of Police,
Ramjee Nagar Police Station
Trichy District.

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

CRL.O.P (MD) No.9451 of 2024

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