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Crl.O.P.(MD)No.8689 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD) No.8689 of 2024

and

Crl.M.P(MD).Nos.5957 and 5958 of 2024

1.Kamaraj

2.Dhanasekar

3.Prabhu

... Petitioners/A1 to A4

versus

1.The State Rep. by

The Sub-Inspector of Police,
Kallakudi Police Station,
Trichy.

... 1st Respondent/Complainant

2.Pandiyan

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned C.C.No.58 of 2020 on the file of the learned Judicial Magistrate, Lalgudi concerned in Crime No.164 of 2019 on the file of the Sub-Inspector of Police, Kallakudi Police Station, Trichy and quash the same insofar as the petitioners are concerned.

For Petitioners

: Mr.C.Christopher

For R1

: Mr.M.Sakthi Kumar

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.58 of 2020 on the file of the learned Judicial Magistrate, Lalgudi.

2.The case of the prosecution is that on 11.09.2019, when the petitioners made arrangements for putting up scaffolding for plastering work on the outer wall of their house, one Rajendran along with the second respondent herein questioned about causing damage to the tiles of the house of the said Rajendran. Due to which, a wordy quarrel arose between them, in which, the petitioners abused the second respondent and his relative Rajendran and also attacked the second respondent with stick. Hence, the case.

3.The learned counsel for the petitioner submits that the petitioners are innocents and on the date of occurrence, there was a wordy quarrel between the petitioners and the defacto complainant, for which, this case has been foisted against the petitioners. He further submits that no one has sustained injury in this case.



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4. The learned Government Advocate (Crl.Side) appearing for the first respondent submits that it is a matter for trial and it can be raised before the trial Court.

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

6.Though the petitioners have 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 petitioners to raise all these grounds before the trial Court, during the trial and the learned Judicial Magistrate, Lalgudi, is directed to complete the trial process within a period of six months from the date of receipt a copy of this order. Consequently, the connected miscellaneous petitions are closed.

19.06.2024

Index : Yes/No
Internet : Yes/No
sjj



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B.PUGALENDHI,J.

sj1

To

1. The Judicial Magistrate, Lalgudi.
2. The Sub-Inspector of Police,
Kallakudi Police Station,
Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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