



Crl.O.P. (MD)No.9818 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.9818 of 2024
and
Crl.M.P.(MD)Nos.6703 and 6704 of 2024

1. Rajendran
2. Poomalai

... Petitioners

Vs

1. The Sub Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
Cr. No. 106/2023.

2. Ponnusamy

... Respondents

PRAYER: Petition filed under Section 482 Cr.P.C. seeking to call for the entire relevant records call for the records pertaining to the C.C No. 14 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Iluppur, Pudukkottai and quash for these petitioners and the same as illegal.



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For Petitioners : Mr.Palaniyandi N.A
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Cr1.Side)

ORDER

The petitioners have filed this petition, seeking to quash the proceedings in charge sheet in C.C.No.14 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Iluppur, Pudukkottai.

2. The case of the prosecution is that due to previous enmity, on 19.03.2023, the accused have abused the defacto complainant using filthy language, assaulted him and caused blood injuries. Hence the case.

3.The learned Counsel for the petitioners submits that insofar as the offences under Sections 294(b), 323, 324 and 506(ii) IPC are concerned, there is no essential ingredients to attract these offences. He further submits that previously, the second petitioner has lodged a complaint as against the private respondent, only on that motive, this complaint has been foisted against the petitioners. Hence, the charge sheet is liable to be quashed.



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4.The learned Government Advocate (Crl.Side) submits that the Doctor, who treated the defacto complainant has given a wound certificate.

5. 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 trial. Consequently, connected miscellaneous petitions are closed.

04.07.2024

NCC : Yes / No.
Index : Yes / No.
Internet: Yes / No.
LR

To

1. The District Munsif cum Judicial Magistrate,
Iluppur, Pudukkottai.

2. The Sub Inspector of Police,
Annavasal Police Station,
Pudukkottai District.

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



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LR

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