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Crl.O.P.(MD)No.12766 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.12766 of 2024

and

Crl.M.P(MD)No.7858 of 2024

Fr.Robinson

: Petitioner/A2

Vs.

1.State rep.by

The Inspector of Police,
Ereniel Police Station,
Kanyakumari District.
Crime No.38 of 2024.

:1st Respondent/Complainant

2.Jemini

: Respondents/ Defacto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the FIR in Crime No.38 of 2024 on the file of the first respondent police and quash the same against the petitioner is concerned.

For Petitioner : Mr.K.P.Narayanakumar
For Respondents : Mr.P.Kottai Chamy
Government Advocate (Criminal Side)
for R1.

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to call for the records relating to the FIR in Crime No.38



of 2024 on the file of the first respondent police and quash the same against the petitioner is concerned.

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2. The main contention of the petitioner is that he was not at all present in the scene of occurrence and the first respondent may be directed to investigate the said aspect.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that after completing enquiry, they have already filed final report against seven persons, including the petitioner before the learned Judicial Magistrate, Eraniel. Moreover, the plea of alibi cannot be gone into in the present proceedings and is matter for trial.

4. Recording the said submission made by the learned Government Advocate (Criminal Side), this Criminal Original Petition is closed. Consequently, connected Miscellaneous Petition is closed. The petitioner is at liberty to challenge the charge sheet, if so advised.

05.08.2024

NCC : yes/No
Index : yes/No
Internet : yes/No
das



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Crl.O.P.(MD)No.12766 of 2019



To

- 1.The Inspector of Police,
Ereniel Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.12766 of 2024



K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.12766 of 2024
and
Crl.M.P(MD)No.7858 of 2024

Dated: 05.08.2024