



Crl.O.P.(MD)No.22330 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2024

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22330 of 2024

and

Crl.M.P(MD) Nos.13906 and 13907 of 2024

Suresh Kumar

: Petitioner

Vs.

1. The Inspector of Police
Abiramam Police Station
Ramanathapuram District

2. Ayyakannu

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records in C.C.No. 30 of 2023 on the file of Judicial Magistrate, Kamuthi and quash the same.

For Petitioner : Mr.S.Raja Mohamed

For Respondents : Mr.A.Thiruvadikumar
No.1 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No. 30 of 2023 on the file of Judicial Magistrate, Kamuthi.



2. The contention of the petitioner is that the petitioner is employed in Singapore and on the date of occurrence the petitioner was in Singapore and he has been falsely implicated in this case. There is a land dispute between the family members of the defacto complainant and hence the petitioner has been falsely implicated in this case.

3. The learned Government Advocate(Crl.Side) submitted that the petitioner is the person who had assaulted the wife of the defacto complainant on her head and the doctor who treated the victim had clearly stated that the injuries sustained are grievous in nature. In this case the weapon used has been seized.

4. The contention of the petitioner is that he was not in station and was in abroad is the matter to be considered during trial. Further the petitioner seeks quashing on the ground of alibi which cannot be considered in the quash application.

5. The learned counsel appearing for the petitioner submitted that he has got fair chance of success and the alleged occurrence said to have



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taken place in the year of 2022 and the charge sheet has been filed in the year 2023 and more than a year the trial is yet to commence hence sought a direction from this Court to conclude the trial within the stipulated time.

6. The learned Government Advocate(Crl.Side) submitted that there are 10 witnesses and all the 10 witnesses can be produced without any delay.

7. In view of the same, there shall be a direction to the trial Court to complete the trial in C.C. No.30 of 2023 within a period of six months from the date of receipt of a copy of this order.

8. With the above direction the Criminal Original Petition stands disposed of. Consequently connected miscellaneous petitions are closed.

18.12.2024

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

1. The Judicial Magistrate, Kamuthi
2. The Inspector of Police
Abiramam Police Station
Ramanathapuram District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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