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Crl.O.P.No.236 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.236 of 2025 and
Crl.M.P.Nos.87 and 88 of 2024

1. Perumal
2. Srinivasan

... Petitioners

Vs.

1. The State represented by
The Inspector of Police
Kelamangalam Police Station
Krishnagigi District
Crime No.150 of 2022

2. Krishnan

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records relating to C.C.No.311 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Denkanikottai and quash the same.

For Petitioner	: Mr.J.Pradeep
For 1 st Respondent	: Mr.S.Sugendran
	Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed by the petitioners to quash the case in C.C.No.311 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Denkanikottai.

2. The learned counsel for the petitioners submitted that there is no specific over-act against the petitioners. Therefore, the charge sheet against the petitioners has to be quashed.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the 1st respondent police and also perused the materials available on record.

4. Since no adverse order is being passed against the 2nd respondent, notice to the 2nd respondent is dispensed with.

5. A perusal of the charge sheet and the statements recorded from the list of witnesses by the prosecution during investigation shows that the witnesses



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have spoken about the specific overt-act about the petitioners. The grounds

taken by the petitioners is nothing but defence which can be dealt only during trial and there is no ground to quash the charge sheet against the petitioners.

6. Therefore, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

7. However, the petitioners are at liberty to take all their defence during trial.

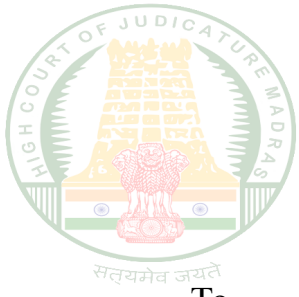
07.01.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To
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1. The District Munsif cum Judicial Magistrate,
Denkanikottai
2. The Inspector of Police
Kelamangalam Police Station
Krishnagigi District
3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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