

only to harass him. It is also his submission that when the injured was taken to Agadi Hospital and then to St. Johns Hospital, the history furnished was that the injured was stabbed by unknown persons and this would further indicate the falsity in the case of the prosecution. It is also his submission that the statement of one of the witnesses CW6 who is stated to be an eye witness was recorded 41 days after the alleged incident, therefore his statement cannot be the sole basis for holding that there is sufficient material to frame charge sheet against him.

7. I have bestowed my consideration to the submissions made by the petitioner and perused the records. At this stage, this court in exercise of power under Section 482 Cr.P.C. cannot hold an enquiry into the facts stated by the petitioner and hold that the prosecution is vexatious. The contentions urged by the petitioner are in the nature of defence which the trial Court is required to consider after recording evidence of prosecution witness. This Court while exercising power



*[Handwritten signature]*