

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.10655 of 2015
& M.P.No.1 of 2015

1. A.JEEVA ... PETITIONER/Accused 7

Vs.

1. THE STATE BY
THE INSPECTOR OF POLICE
VIKRAVANDI POLICE STATION
VILLUPURAM DISTRICT. ... Respondent/Complainant

2. TMT.R.LAKSHMI ... RESPONDENT 2/Defacto Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in P.R.C.No.26 of 2014 in Cr.No.102 of 2011 on the file of the Hon'ble Judicial Magistrate-II, Villupuram and QUASH all further proceedings as per the petitioner is concerned for the interest of justice.

For Petitioner : No appearance

For Respondent-1 : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

The petitioner has filed this petition challenging the proceedings in P.R.C.No.26 of 2014 in Cr.No.102 of 2011 on the file of the learned Judicial Magistrate-II, Villupuram.

2. Though the case has been posted finally, there is no representation for the petitioner. Heard the learned Additional Public Prosecutor appearing for the first respondent police.

3. This Court perused the final report. It is seen that this petitioner is the 7th accused, who is a Police Constable working in Tamil Nadu State Police Battalion. The allegation against the petitioner is that he along with the others had damaged the shop of the defacto complainant in retaliation to the attack made on one Jagan.

4. In view of specific allegations against the petitioner and since there are materials collected by the police, the proceedings launched against the petitioner in P.R.C.No.26 of 2014 on the file of the learned Judicial Magistrate-II, Villupuram cannot be quashed in the light of the law laid down by the Hon'ble Supreme Court in State of Haryana vs. Bajanlal and others, reported in 1992 Supp.(1) SCC 335. Hence, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ajr

To

1. The Judicial Magistrate II,
Villupuram.
2. The Chief Judicial Magistrate,
Villupuram.
3. THE INSPECTOR OF POLICE
VIKRAVANDI POLICE STATION
VILLUPURAM DISTRICT.
4. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS

Cr1.OP No.10655 of 2015
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SCD(CO)
CA(11/06/2015)

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