



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2015

CORAM:

THE HON'BLE MR.JUSTICE T.MATHIVANAN

CrI.O.P.(MD) No.8002 of 2014

and

M.P.(MD)No.1 of 2014

K.John Balan

.. Petitioner/A-7

Vs.

1.The State of Tamil Nadu,
rep. by the Inspector of Police,
Athur Police Station,
Tuticorin District.

2.Poonkodi

.. Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.239 of 2013 on the file of the 1st respondent and quash the same in so far as the case against the petitioner/A-7 is concerned.

For Petitioner : Mr.C.K.M.Appaji

For 1st Respondent : Mr.P.Kandasamy
Government Advocate
[Criminal side]

O R D E R

This petition has been filed under Section 482 Cr.P.C., praying to call for the records relating to the case in Crime No.239 of 2013 on the file of the first respondent police and to quash the same.

2.When the matter is taken up for hearing, the learned Government Advocate (criminal side) representing the respondent has submitted that after completion of the investigation, a charge sheet was filed by the first respondent police on the file of the learned Judicial Magistrate, Tiruchendur and the offences were taken cognisance by the learned Judicial Magistrate, Tiruchendur and taken on file in PRC No.69 of 2014 and therefore, he has submitted that nothing survives in this matter to be quashed, as the case is now pending in PRC stage on the file of the learned Judicial Magistrate, Tiruchendur .

3.It appears from the records that the petitioner being the 7th accused has sought the relief of quashing the case in Crime No.239 of 2013. Since, the first respondent has laid the final report before the learned Judicial Magistrate, Tiruchendur and the same was taken on file as PRC No.69 of 2014, the petition itself deserves to be dismissed as infructuous.



4. In the result, this petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

1. THE INSPECTOR OF POLICE,
ATHUR POLICE STATION,
TUTICORIN DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Er

SR/PS : 11.06.2015 : 2p/3c

Crl.O.P. (MD) No.8002 of 2014
27.03.2015