

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.9787 of 2016

and

CrI.MP.Nos.5094 & 5095 of 2016

1.Mahendran
2.Ayyanar, S/o.Perumal
3.Seetharaman
4.Muthu
5.Akila
6.Poorani
7.Ayyanar, S/o.Ranganathan
8.Tamilselvi
9.Subramanian
10.Manikandan

...Petitioners

Vs.

Udhayachandran

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records in C.C.No.24 of 2014 on the file of the Judicial Magistrate No.II, Ulundurpet, Villupuram District and quash the same.

For Petitioner : Mr.C.Munusamy

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.24 of 2014 on the file of the learned Judicial Magistrate No.II, Ulundurpet, Villupuram District.

2. When the matter was taken up for hearing, the learned counsel for the petitioner submitted that in respect of the same incident, police have registered a case in Crime No.49 of 2014 and investigation is pending.

3. Under such circumstances, this Court directs the learned Judicial Magistrate No.II, Ulundurpet, to pass orders under Section 210 Cr.P.C., by staying further prosecution of the case and to call for a report from the concerned police official conducting the investigation. If it is found that the police

have closed the case in Crime No.49 of 2014, or filed a final report as same accused in C.C.No.24 of 2014, it is open for the trial Court to proceed with C.C.No.24 of 2014, and liberty is given to the petitioner to approach this Court challenging the prosecution.

4. With the above direction, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

ds

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

The Judicial Magistrate No.II,
Ulundurpet, Villupuram District.

+ 1 cc to M/s.C.Munusamy, Advocate SR 30363

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