



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.14202 of 2016

and

CRL MP(MD)No.6633 of 2016

C.Karuppasamy

.. Petitioner

Vs.

1.The Inspector of Police,

C1, Thideer Nagar (Law & Order) Police Station,

Madurai,

Madurai District,

Crime No.2135 of 2010.

... 1st Respondent/Complainant

2.G.Marimuthu

.. 2nd Respondent/

Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to quash the charge sheet filed against the petitioner herein in S.C.No.301 of 2014 on the file of the 1st Additional District and Sessions Court, Madurai.

For Petitioner

: Mr.S.Muthumalai Raja

For R - 1

: Mr.K.V.Rajarajan

Government Advocate (Criminal side)

ORDER

This petition has been filed praying to quash the charge sheet filed against the petitioner herein in S.C.No.301 of 2014, pending on the file of the I Additional District and Sessions Court, Madurai.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) for the first respondent.

3.The learned counsel appearing for the petitioner would submit that the allegation levelled against the petitioner/A4 is that the petitioner has protected two persons who got involved in services and hence, a charge has been framed as against the petitioner under Section 212 IPC. It is also pointed out that even if the entire allegations as set out in the charge sheet are



taken as true, no evidence/material is available to disclose the offence under Section 212 IPC and therefore, it is prayed to quash the proceedings, pending against the petitioner/A4.

4. On the other hand, the learned Government Advocate (Crl.side) would submit that already trial has commenced and therefore, it is not the appropriate time to consider the request for quashment of charges. It is also submitted that PWs.1 and 2 have already been examined and the Court is proceeding with joint trial of cases in S.C.Nos.301 and 300 of 2014 and there are 29 witnesses yet to be examined in both cases.

5. The learned counsel appearing for the petitioner would submit that at least there shall be a direction for speedy disposal of the cases in S.C.Nos.300 and 301 of 2014.

6. Having regard to the contention that no offence is made out as against the petitioner/A4 and also considering the request and submissions made on either side, the I Additional District and Sessions Court, Madurai is directed to dispose of the cases in S.C.Nos.300 and 301 of 2014 as expeditiously as possible.

7. This Criminal Original Petition is disposed of with the above direction. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

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To

1. The I Additional District and Sessions Judge,
Madurai

2. The Inspector of Police,
C1, Thideer Nagar (Law & Order) Police Station,
Madurai, Madurai District,

3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

Jam/30.8.16/SS 3/2p-4c

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and

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