

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2017

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.OP No.355 of 2014
& M.P.No.1 of 2014

Loganathan ..Petitioner/Accused NO.1

Vs

The State of Tamil Nadu
Rep. by the Sub Inspector of Police,
Karuvepilankurichi Police Station,
Karuvepilankurichi,
Cuddalore District. ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the charge sheet No.12/12 in P.R.C.No.19 of 2013 on the file of the Judicial Magistrate No.2, Virudhachalam and quash the same in so far as the petitioner as concerned.

For Petitioner : Mr.P.Mani

For Respondent : Mr.C.Iyyapparaj,
Addl. Public Prosecutor

O R D E R

This petition has been filed to call for the records relating to the charge sheet No.12/12 in P.R.C.No.19 of 2013 on the file of the Judicial Magistrate No.2, Virudhachalam and quash the same.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. It is seen that the petitioner is arrayed as A1 in Crime No.11 of 2012 on the file of the respondent for the offence under Sections 147, 452, 323, 427 & 506(ii) of IPC, based on the complaint given by one Mr.Mahalingam on 18.01.2012.

4. The case of the prosecution is that due to previous enmity between the de-facto complainant and the first accused, under the instigation of the petitioner, the other accused entered into the house of the de-facto complainant armed with sticks and assaulted him and his family members and also caused damages to the house and household articles.

5. The learned Additional Public Prosecutor on instructions submitted that the case is already been taken on file and the trial was also already commenced and some of the witnesses were already examined.

6. This Court, having found prima facie case against the petitioner and considering the stage of the case, is not inclined to quash the final report filed in charge sheet No.12/12 in P.R.C.No.19 of 2013 on the file of the Judicial Magistrate No.2, Virudhachalam. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

pvs

To

- 1.The Judicial Magistrate No.II,
Virudhachalam.
2. The Sub Inspector of Police,
Karuvepilankurichi Police Station,
Karuvepilankurichi,
Cuddalore District.
- 3.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

Cr1.OP No.355 of 2014

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