



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.23260 of 2016

A.Madurai Veeran

... Petitioner

-vs-

1. State represented through
The Inspector of Police,
Tallakulam L &O Police Station,
Tallakulam, Madurai.

2. M.Ilavarasu

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records pertaining to the charge sheet in STC No.63 of 2015 on the file of the Judicial Magistrate, No.II, Madurai and quash the same as illegal.

For Petitioner : Mr.R.Pandi Maharaja

For Respondents : Mr.K.Anbarasan

Government Advocate (Crl. Side) for R1

ORDER

This petition has been filed to quash the charge sheet in S.T.C.No.63/2015 on the file of the learned Judicial Magistrate, No.II, Madurai.

2. On the suo motu complaint, an FIR was registered in Crime No.249/2015 by the respondent police under Section 170 IPC against the petitioner and after completing the investigation, the 1st respondent has filed a final report in STC No.63/2015 before the Judicial Magistrate, No.II, Madurai. Challenging which, the petitioner is before this Court for quashing the prosecution.

3. It is the case of the prosecution that when the Inspector of Police, Tallakulam Police Station was on rounds, he found a name board titled 'Citizen for Human Rights Movements, D.No.6, Vallabai Road, Chokkikulam, Madurai' and on further enquiry, it came to the notice of the police that the petitioner is masquerading himself as the champion of human rights without proper credentials. Since the charge sheet prima facie discloses the commission of the alleged offences, it is not a fit case to quash the prosecution, in the

light of the law laid down in ***State of Haryana and others v. Bhajan Lal*** and others reported in ***1992 Supp (1) SCC 335***.

4. In the result, this petition is dismissed as devoid of merits with a direction to the trial Court to complete the trial within a period of six months from the date of receipt of a copy of this order, on condition that the petitioner shall cooperate with the trial by cross examining the witnesses on the day, when they were examined in chief, without adopting any dilatory tactics.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To:

1.The Judicial Magistrate, No.II, Madurai.

2. -do- thro' The Chief Judicial Magistrate,
Madurai.

3.The Inspector of Police,
Tallakulam L & O Police Station,
Tallakulam, Madurai.

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

+ 1 CC TO Mr.R.PANDI MAHARAJAN, ADVOCATE IN SR No. 13074

RR
TE/SKN-RSK : 23/03/2017 : 2P/6C

Cr1.O.P.(MD)No.23260 of 2016
and Cr1.M.P.Nos.12239 AND 12240 /2016
07.03.2017