



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.9569 of 2011

and

M.P.(MD)No.2 of 2011

M.Sengairaju

... Petitioner / Accused No.2

Vs.

1. State represented by

The Sub-Inspector of Police,

North Police Station,

Karaikudi,

Sivagangai District.

(Crime No.200 of 1991) ... Respondent / Complainant

2.Ashokan

... Respondent / Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining the Charge Sheet in C.C.No.81 of 1993 pending before the learned Judicial Magistrate Court, Karaikudi, dated 22.07.1992 in Crime No.200 of 1991 on the file of the respondent No.1 and quash the same as illegal.

For Petitioner : Mr.Pinaygash
for Mr.T.Lajapathi Roy

For R-1 : Mr.K.Anbarasan
Government Advocate (Criminal Side)

For R-2 : No appearance

* * *

O R D E R

This Criminal Original Petition has been filed to quash Charge Sheet dated 22.07.1992 in C.C.No.81 of 1993 in Crime No.200 of 1991, pending before the learned District Munsif cum Judicial Magistrate Court, Karaikudi.

<https://hcservices.ecourts.gov.in/Hcservices> We have heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the State.



3. The learned Government Advocate (Criminal Side) appearing for the State would submit that already in the very same C.C.No.81 of 1993, the other accused were acquitted. Since the petitioner was not appeared before the lower Court, the case is split up and assigned in C.C.No.354 of 2016 in which the trial is commenced and two witnesses were examined.

4. Hence, nothing survives for adjudication in this Criminal Original Petition. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioner to work out his remedy in the manner known to law. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Karaikudi.
2. The Sub-Inspector of Police,
North Police Station,
Karaikudi,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Kmi/Ls

AE/SV MMS/SAR1/21.11.2017/2P/4C

Cr1.O.P. (MD) .No.9569 of 2011
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