

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 09.07.2018
Pronounced on : 24.09.2018

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.24281 of 2011
and
M.P.Nos.1 & 2 of 2011

P.Baskar,
S/o.Periyannah

... Petitioner/Accused No.9

Vs.

1.State Rep. by:

The Inspector of Police,
CCIW CID Police Station,
Salem,
Crime No.3 of 2010.

...Respondent/Complainant

2.The Joint Registrar,
Co-operative Societies
(Housing Development),
Salem Division, Salem.

... Respondent/Defact-

Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in respect of the C.C.No.103 of 2011 on the file of the Judicial Magistrate Court No.III, Salem and quash the same.

For Petitioner : Mr.R.Nalliyappan
(in both Cr1.O.P.Nos.)

For R1 : Ms.V.Saratha Devi,
(in both Cr1.O.P.Nos.) Government Advocate

For R2 : Not ready in notice
(in both Cr1.O.P.Nos.)

O R D E R

The petitioner, who is accused A.9 in CC.No.103 of 2011 has filed the above quash petition from the charge sheet filed by the 1st respondent for offence under Sections 120-B(1), 408, 467, 468, 471 & 477(A) of the Indian Penal Code.

2.It is now submitted that the petitioner P.Baskar A.9 filed a Revision petition before this court in Crl.R.C.No.1304 of 2015 against the dismissal of the discharge petition in Crl.M.P.No.1214/2015 in C.C.No.103/2011. This Criminal Revision Petition along with Crl.R.C.No.1364 and 1310 of 2015 was allowed by this court by common order dated 19-01-2016 discharging the petitioner namely A.9 from all charges in C.C.No.103/2015, since the petitioner role was limited only in preparing the sale deeds and for which he cannot be said to have acted in conspiracy with the other accused. Further in absence of any material to show that while A.9 prepared such document, he was aware that the 1st accused was not holding office. Hence nothing survives as regards petitioner/A.9. In view of the above the quash petition stands closed.

3.Accordingly, this Criminal Original Petition stands allowed. The above case is pending from the year 2011 and the trial court is directed to complete the trial expeditiously within a period of six months from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The Judicial Magistrate No.III, Salem.

2.The Inspector of Police,
CCIW CID Police Station,
Salem,
Crime No.3 of 2010.

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3.The Joint Registrar,
Co-operative Societies
(Housing Development),
Salem Division, Salem.

4.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.24281 of 2011

GMV (22/10/2018)



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