

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.12224 of 2018  
and Cr1.M.P.Nos.6488 & 6489 of 2018

1.Sridhar  
2.Nagarajan

.. Petitioners /Accused 1 & 2

Vs

1.State by  
Inspector of Police,  
Kallavi Police Station,  
Krishnagiri District.  
Cr.No.102/2016

2.Kannabiram

.. Respondents/Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for records in a case registered under Sections 294[b], 324, 323 and 341 of IPC in C.C.No.64 of 2016 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Uthangarai and quash the same.

For Petitioners : Mr.K.Thiruvengadam

For 1<sup>st</sup> Respondent : Ms.P.Kritika Kamal

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.64 of 2016 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Uthangarai.

2.It appears that this is a case and counter case namely, Crime No.2 of 2016 and 101 of 2016 in which, both parties have assaulted each other, resulting in injuries to both of them. The Police have filed two Final Reports before the Judicial Magistrate, Uthangarai.

3.Mr.P.Jagadeesan, learned counsel appearing for the petitioner brought to the notice of this Court, the statement of the Deputy Block Development Officer, wherein, he has stated

that the aggressors are Kannabiran [de facto complainant] and Sundarajan.

4. On a reading of the Doctor's statement, it is seen that both the parties had suffered injuries and they were treated in the hospital. Hence, one prosecution cannot be quashed. However, the trial Court is directed to try both the cases simultaneously as laid down by the Hon'ble Supreme Court in Nathi Lal Vs State of U.P. and another reported in 1990 SCC [Cr1.] 638. The trial Court is directed to dispose of both the cases within a period of six months from the date of receipt of a copy of this order, provided there is no legal impediment.

With the above direction, this petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

Sd/-  
Assistant Registrar(Audit)

//True copy//

Sub Assistant Registrar

gya

To

1. The District Munsif-cum-Judicial Magistrate,  
Uthangarai.
2. do thro Chief Judicial Magistrate,  
Krishnagiri District.
3. The Inspector of Police,  
Kallavi Police Station,  
Krishnagiri District.
4. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.K.Thiruvengadam, Advocate SR.No.30666

CRL.OP.No.12224 of 2018

PVS (CO)  
GN(11/05/2018)