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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2018

CORAM:

**THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.20806 of 2015

and

M.P. (MD) Nos.1 and 2 of 2015

Vasuthevan

..Petitioner/Accused No.3

Vs.

1.The State rep., by  
The Inspector of Police,  
District Crime Branch,  
Sivagangai District. ..1<sup>st</sup> Respondent/Complainant

2.M.Rajendran,  
The District Manager,  
Tamil Nadu State Marketing Corporation Ltd., (TASMAC),  
Sivagangai District. ..2<sup>nd</sup> Respondent/Defacto  
Complainant

**PRAYER:** This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the petitioner in the final report in C.C.No.147 of 2014 on the file of the Judicial Magistrate Court No.II, Sivagangai, Sivagangai District in Crime No.21 of 2013 on the file of the Inspector of Police, District Crime Branch, Sivagangai District and quash the same as against the petitioner.

For Petitioner : Mr.R.Udhayakumar

For R1 : Mrs.M.Anantha Devi

Government Advocate (Crl.side)

### **ORDER**

This quash petition is filed to quash the criminal proceedings in C.C.No.147 of 2014 on the file of the Judicial Magistrate Court No.II, Sivagangai, Sivagangai District in Crime No.21 of 2013 on the file of the Inspector of Police, District Crime Branch, Sivagangai



District.

2.The learned Government Advocate (criminal side) submitted that in this case, trial has been commenced and 11 witnesses has been examined.

3.It is seen from the records that no ground is raised by the learned counsel for the petitioner to quash the criminal proceedings against him. The grounds raised in the petition have to be gone into in a full fledged trial. Moreover, as submitted by the learned Government Advocate (criminal side), in this case, trial has been commenced. Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.

4.Accordingly, this criminal original petition is dismissed with the liberty to the petitioner to raise all the grounds before the trial Court. Consequently, connected miscellaneous petition is also dismissed.

Sd/-  
Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar(cs-III)

To

1.The Judicial Magistrate Court No.II,  
Sivagangai, Sivagangai District.

2.The Inspector of Police,  
District Crime Branch,  
Sivagangai District.

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

+1cc to Mr.R.Udhayakumar Advocate in SR.No.92999

CrI.O.P. (MD) .No.20806 of 2015  
29.10.2018

RMK

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