



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K. ILANTHIRAIYAN

Crl.OP[MD]No.22196 of 2014

and

M.P. (MD) No.1 of 2014

1.S.Jastin Raj

2.A.Jayapaul

... Petitioners/A1 AND A2

Vs.

1. State represented by,
The Sub Inspector of Police,
Vedasandur Police Station,
Dindigul District,
Crime No.171 of 2014.

..Respondent/Complainant

2. V.Veerachamy
Village Administrative Officer (in charge)
Kuttam Village,
Vedasandur Taluk,
Dindigul Taluk.

... Respondents

PRAYER: Petition is filed under Section 482 of Cr.P.C, to quash the proceedings in Charge Sheet No.77/2014, dated 12.06.2014 on the file of the first respondent police.

For Petitioners	: Mr.P.Muthuvijayapandian
For Respondent 1	: Mr.A.P.G.Ohm Chairma Prabhu
	Government Advocate (Crl.side)

O R D E R

This petition is filed to quash the proceedings in Charge Sheet No.77/2014, dated 12.06.2014 on the file of the first respondent police.

2.The learned counsel for the petitioner would submit that the occurrence itself did not take place on the date of occurrence as alleged by the prosecution. The second respondent / Village Administrative Officer, without receiving notice and without any prior information, he entered into the land and surveyed the land. Further, he would submit that civil suit is pending as against the counter party. Therefore, the prayer sought for in this petition is liable to be quashed.

3.The learned Government Advocate (Crl.side) for the respondent would submit that there are specific averments and specific allegations as against the petitioner. He further submitted that there is a material evidence to connect the charges as against the petitioner.



4. Considering the above facts and circumstances, it seems that there are specific averment and allegation as against the petitioner. Further, all the points raised by the petitioner are about the question of facts and it cannot be considered by this Court by exercising its power under Section 482 of Cr.P.C. Therefore, this Court is not inclined to entertain this petition. Hence, this criminal original petition is dismissed. Considering the year of the Charge Sheet in Charge Sheet No.77 of 2014, the learned Magistrate is directed to dispose the trial proceedings within a period of six months from the date of receipt of a copy of this order. Consequently, M.P.(MD)No.1 of 2014 is closed.

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar(CS III)

To

1.The District Munsif cum Judicial Magistrate, Vadasandur.

2.The Chief Judicial Magistrate, Dindigul.

3. The Sub Inspector of Police,
Vedasandur Police Station,
Dindigul District,

4. The Village Administrative Officer (in charge)
Kuttam Village,
Vedasandur Taluk,
Dindigul Taluk.

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

1cc TO MR. P. MUTHU VIJAYAPANDIAN, ADVOCATE SR NO.88295

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and M.P.(MD)No.1 of 2014
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