



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.(MD).No.2500 of 2014
and
M.P(MD).No.1 of 2014

M.Chandrakasan

..Petitioner

Vs.

1.State rep. by
The Inspector of Police,
Swamimalai Police Station,
Thanjavur District Cr.No.332/2011

2.Singaravadivelu

..Respondents

PRAYER: These Criminal Original Petition have been filed under Section 482 of Criminal Procedure Code, to call for the impugned charge sheet relating to C.C.No.280 of 2013 on the file of the Judicial Magistrate, Kumbakonam and quash the same.

For Petitioner : Mr.A.Saravanan

For Respondent No.1 :Mr.V.Neelakandan, APP

O R D E R

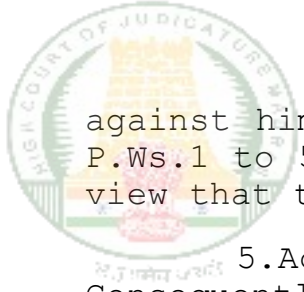
This quash petition is filed to quash the criminal proceedings in C.C.No.280 of 2013 on the file of the Judicial Magistrate, Kumbakonam, having been taken cognizance for the offence under Sections 294(b) and 324 of I.P.C. against the petitioner.

2.The learned Additional Public Prosecutor would submit that in this case, already trial has been commenced and the prosecution examined P.Ws.1 to 5 and the case is now posted on 07.09.2018 for examination of further witnesses.

3.However, the learned counsel appearing for the petitioner would submit that there is a case and case in counter and their case has been taken cognizance in C.C.No.70 of 2013 by the same Judicial Magistrate and the same is pending and hence, he requested for joint trial.

<https://hcservices.ecourts.gov.in/hcservices/>

4.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. Moreover, in this case, trial has been commenced and P.Ws.1 to 5 were examined already. Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.

5. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is also dismissed. However, the petitioner is at liberty to file appropriate petition before the learned Judicial Magistrate concerned for joint trial.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Judicial Magistrate,
Kumbakonam.
2. The Inspector of Police,
Swamimalai Police Station,
Thanjavur District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Arul

DS SV SAR-3:10.09.2018: 2P/4C

Order made in
Crl.O.P. (MD) .No.2500 of 2014
and
M.P (MD) .No.1 of 2014
06.09.2018