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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.08.2018
CORAM
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.17974 of 2017
and
Crl.M.P.(MD)Nos.11737 and 11738 of 2017

Pillappan @ Shajahan ... Petitioner

Vs

1. The State represented
by the Inspector of Police,
Thiruvidaimarudhur Police Station,
Thanjavur District,
In Crime No.223 of 2016.

2.Mohammed Asik ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for the records in S.C.No.11 of 2013 on the file of the Additional Sessions Judge (Fast Track Court), Kumbakonam and quash the same as against the petitioner.

For Petitioner : Mr.J.John
For R1 : Mrs.Bharathi
Government Advocate (Crl.side)
For R2 : Mr.A.Thiruvadikumar

ORDER

This petition has been filed seeking to quash the final report filed in S.C.No.11 of 2013 on the file of the Additional Sessions Judge (Fast Track Court), Kumbakonam.

2.The learned Government Advocate (Crl.side) representing the first respondent and the learned counsel representing the defecto complainant submitted that the trial is almost over in this case and at this stage, this petition is not maintainable. It has also been submitted that the matter is adjourned to 16.08.2018 for the examination of the Investigating Officer.

3.This Court is of the considered view that the case before the trial Court is at the fag-end of trial and at this stage, this Court cannot exercise its jurisdiction under Section 482 Cr.P.C to quash the charge sheet. All the grounds that has been raised by the petitioner in this petition can very well be raised before the trial Court.

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4.This petition is dismissed only on the ground that the petitioner has approached this Court only after the commencement of the trial and the dismissal of this petition will not take away the right of the petitioner to raise all the grounds that has been raised in this criminal original petition. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Additional Sessions Judge (Fast Track Court),
   Kumbakonam. Thanjavur.

2. The Inspector of Police,
   Thiruvidaimarudhur Police Station,
   Thanjavur District,

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

+1CC to Mr.J.John, Advocate, SR.No.78339

CRL.O.P.(MD)No.17974 of 2017
and
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RMI
ES/RP/SAR 4/20.08.2018/2P/5C

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