



respondent police laid a charge sheet for the offences under Sections 147, 341, 332, 353, 427 and 188 IPC.

3.The learned counsel appearing for the petitioner contended that in the FIR, only five named accused and 15 other unnamed accused are alone mentioned. Further, during the time of investigation, the witnesses examined on the side of the prosecution, do not say anything about this petitioner to implicate this petitioner in the alleged offence.

4.On the other hand, the learned Government Advocate (Criminal side) appearing for the first respondent submitted that three eyewitnesses, who were examined on the side of the prosecution, had clearly mentioned the name of this petitioner and alleged about the offence committed by the petitioner as mentioned in the charge sheet.

5.This Court heard the submissions of the learned counsel for the second respondent on the above submissions made by the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the first respondent and perused the materials on record.

6.The submissions made by the learned counsel on either side disclose that one Murugan, Batcha and Mani, who have been shown as L.W.4 to L.W.6 in the charge sheet. They had given statements before the first respondent police under Section 161(3) Cr.P.C., in which, they clearly stated the involvement of the petitioner in the alleged occurrence. So, the contention raised by the petitioner that the witnesses examined on the side of prosecution have not stated the name of the petitioner is nothing but lie. Accordingly, the only ground raised by the petitioner is not having any merit for allowing this petition.

7.It is true that the petitioner went to the scene of occurrence only for paying homage to the deceased Ramesh. At the same time, being the Student, he has to obey the law and order. But, without following the regulations, the petitioner took the law in his own hand and committed this offence. Therefore, this Court is not inclined to quash the charge sheet. Hence, this petition deserves dismissal. Accordingly, this Criminal Original Petition is dismissed. However, since the case is pending from the year 2011, the learned Judicial Magistrate No.II, Madurai, is directed to complete the trial in C.C.No.545 of 2011, within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/



To

1.The Judicial Magistrate No.II,
Madurai.

2.The Inspector of Police,
E2, Mathichiyam Police Station,
Madurai City.

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

+1CC to Mr.R.R.Kannan, Advocate, SR.No. 44818

Cr1.O.P. (MD) No.811 of 2013
29.01.2018

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AM/MR/SAR 2/21.02.2018/3P/5C