

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.1014 of 2015
and M.P.Nos. 1 & 2 of 2015

Ravi @ Ravichandiran ... Petitioner

Vs.

1. The State of Tamil Nadu rep by its
The Inspector of Police,
B-5, Singanallur Police Station,
Singanallur, Coimbatore.
(Crime No.1883 of 2013)

2. Selvam ... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the entire records comprised in P.R.C.No.10 of 2014 pending on the file of the Judicial Magistrate Court No.III, at Coimbatore and quash the same.

For Petitioner : Mr.Vimal B. Crimson

For Respondents

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.J.Fraklin

O R D E R

This petition has been filed to quash the proceedings in P.R.C.No.10 of 2014 pending on the file of the Judicial Magistrate Court No.III, Coimbatore, thereby taken cognizance

for the offences under Sections 147, 148, 448, 294(b), 323, 324 and 506(ii) of IPC r/w 3(1) of TNPPDL Act.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.1883 of 2013 for the offences under Sections 147, 148, 448, 294(b), 323, 324 and 506(ii) of IPC r/w 3(1) of TNPPDL Act., as against the petitioner and others and filed charge sheet in P.R.C.No.10 of 2014 before the Judicial Magistrate Court No.III, Coimbatore. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that totally there are nine accused in the case and the petitioner is arraigned as A1. There are specific allegations as against the petitioner to attract the offences under Sections 147, 148, 448, 294(b), 323, 324 and 506(ii) of IPC r/w 3(1) of TNPPDL Act. He further submitted that the committal proceedings is pending. Therefore, he prayed to dismiss this petition.

4. The learned counsel appearing for the second respondent concedes with the submission made by the learned Additional Public Prosecutor.

5. Heard Mr.Vimal B. Crimson, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent and Mr.J.Franklin, learned counsel appearing for the second respondent.

6. It is seen that this petition is pending for the past five years without any interim order. There are specific avernments to attract the offences as against the petitioner for the charges framed under Sections 147, 148, 448, 294(b), 323, 324 and 506(ii) of IPC r/w 3(1) of TNPPDL Act. Further it is also seen that there are materials to connect the petitioner to the offences. More over all the points raised by the petitioners have to be considered only during the trial. The petitioner is at liberty to raise all the points before the Court below during the trial.

7. In view of the above discussion, this Court is not inclined to quash the proceedings in P.R.C.No.10 of 2014. However, considering the case is of the year 2014, the trial Court is directed to complete the trial proceedings within a period of three months from the date of receipt of copy of this Order.

8. With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

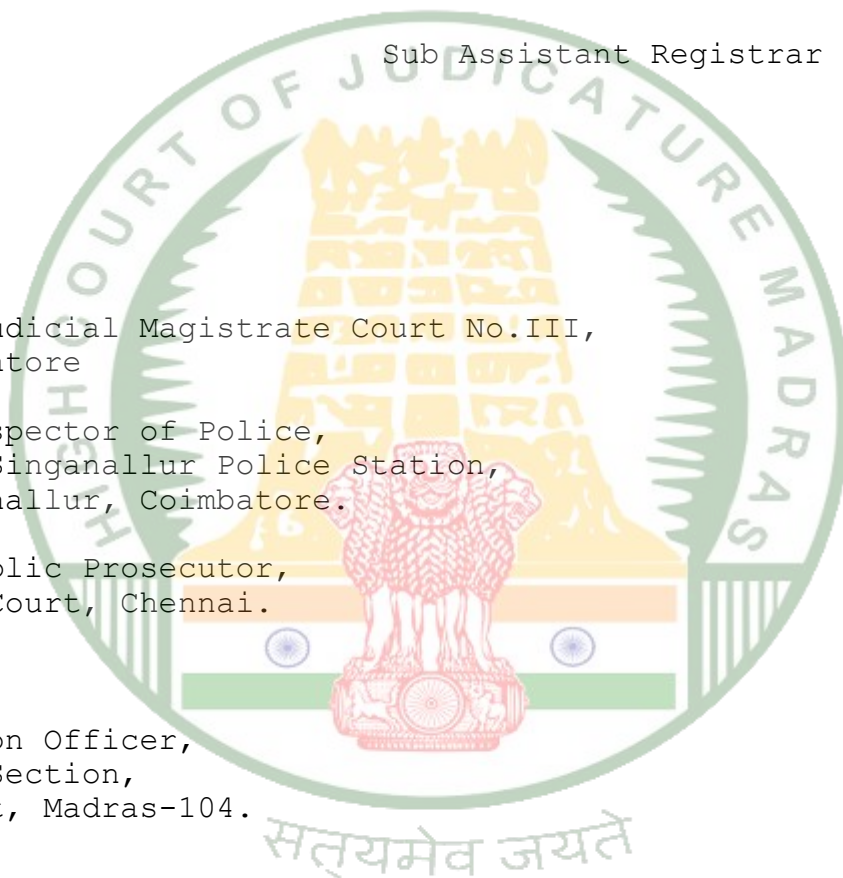
rts

To

1. The Judicial Magistrate Court No.III,
Coimbatore
2. The Inspector of Police,
B-5, Singanallur Police Station,
Singanallur, Coimbatore.
3. The Public Prosecutor,
High Court, Chennai.

Copy to

The Section Officer,
Criminal Section,
High Court, Madras-104.



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srg 24/04/2019