IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19 of 2016
and
Crl.M.P.Nos.18 and 19 of 2016

1.D.Soundarajan
2.Saravanan
3.Purushothaman
4.Gunasundari ...Petitioners/Accused

Vs.

1.State by
The Inspector of Police,
C-4 Vellimedupettai Police Station,
Vellimedupettai, Tindivanam Taluk, Villupuram District.
(Crime No. 205 of 2015)

2.Balu
(The 2nd respondent is impleaded as per the order of this Court dated 07.03.2016 made in Crl.MP.No.2228 of 2016 in Crl.O.P.No.19 of 2016)
...Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the entire records concerned in C.C.No.306 of 2015 on the file of the Judicial Magistrate-1, Tindivanam, Villupuram District and quash the same.

For Petitioners : Mr.C.Prakasam

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

For R2 : Mr.G.Punniya Kotti

WEB COPY

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.306 of 2015, pending on the file of the Judicial Magistrate-1, Tindivanam, Villupuram District.

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

2.The learned Additional Public Prosecutor, on instructions, would submit that these petitioners have already filed a discharge petition in C.M.P.No.3367 of 2016 before the court below and the same is pending enquiry and the case is posted for hearing on 15.02.2019.

3.In view of the above, it is left open to the petitioners to raise all the grounds before the Court below in the discharge petition and the petitioners cannot be permitted to parallely prosecute this petition under Section 482 of Cr.P.C.

4.Accordingly, this Criminal Original Petition is disposed of with the directions to the Court below, to hear and dispose of CMP.No.3367 of 2016, within a period of one month from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

stm/vsg1

To

1. The Judicial Magistrate-1, Tindivanam, Villupuram District.

2. The Inspector of Police,
C-4 Vellimedupettai Police Station,
Vellimedupettai, Tindivanam Taluk, Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

WEB COPY

+1cc to Mr.C.Prakasam, Advocate SR.No.4607

+1cc to Mr.G.Punniyakotti, Advocate SR.No.4504

Crl.O.P.No.19 of 2016

GMY(07/02/2019)

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