

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM:

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

CRL.O.P.No.3351 of 2019
and
CRL.M.P.No.2172 & 2173 of 2019

1.S.Kuzhanthaivel,
S/o.Sammikannu.

2.S.Selvakumar,
S/o.Sammikannu.

3.S.Prabhu
S/o.Seethuraman.

... Petitioners

Vs.

1.The Sub-Inspector of Police,
Risivandiam Police Station,
Risivandiam,
Sankarapuram Taluk,
Villupuram District.

2.S.Kuzhanthaivel
S/o.Srinivasan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for all records made in C.C.No.373/2018 on the file of the Judicial Magistrate, Thirukovillur, Villupuram District and quash the same.

For Petitioners : Mr.G.Ranganathan

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings filed by the first respondent in C.C.No.373/2018 on the file of the Judicial Magistrate, Thirukovillur, Villupuram District.

2.It is seen from the records, the petitioners herein were arrayed as A1 to A3. Admittedly, there is a counter case in Crime No.39 of 2018 as against the 2nd respondent and others

registered for the offence under Section 294(b), 323, 324 and 506(ii) of IPC on the file of the first respondent police, in which the first respondent has also filed charge sheet in C.C.No.425 of 2018 on the file of the learned Judicial Magistrate, Thirukovillur, Villupuram District. It is seen that both the cases were filed in order to attract the offence under Section 294(b), 323 and 324 IPC as against the petitioners and the second respondent in his counter case.

3. Therefore, this Court is not inclined to quash the criminal proceedings. However, considering the fact that a counter case is also pending as against the second respondent, the learned Judicial Magistrate, Thirukovillur, Villupuram, is directed to conduct simultaneous trial in both the cases in Crime No.39 and 40 of 2018 and to complete the trial within a period of six months from the date of receipt of copy of this order.

4. With the above directions, this Criminal Original Petition is disposed of. Connected miscellaneous petitions are also closed.

rm

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Thirukovillur,
Villupuram District.

2. The Sub-Inspector of Police,
Risivandiam Police Station,
Risivandiam,
Sankarapuram Taluk,
Villupuram District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Ranganathan, Advocate, SR.No.11171

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Kak(21/04/2019)