

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eleventh day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL MISCELLANEOUS PETITION NOS.3268 & 378 of 2019

IN CRL.OP.NO.644 OF 2019

P.KUMARASAMY

[PETITIONER / RESPONDENT
IN CRL.MP.NO.3268 OF 2019
IN CRL.OP.NO.644 OF 2019
RESPONDENT-2 IN
CRL.MP.NO.378 OF 2019
IN CRL.OP.NO.644 OF 2019]

Vs

1 K.R.ANNAMALAI

[PETITIONER IN
CRL.MP.NOS.3268/2019 & 378/2019
IN CRL.OP.NO.644 OF 2019]

2 THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
PULIAMPATTY POLICE STATION,
ERODE DISTRICT
CR.NO.49 OF 2015.

[RESPONDENT-2 IN CRL.MP.3268/2019
IN CRL.OP.NO.644 OF 2019
RESPONDENT-1 IN CRL.MP.378/2019
IN CRL.OP.NO.644 OF 2019]

Petitions praying that in the circumstances stated therein the High Court will be pleased to

[i] vacate the stay granted in CRL.MP.NO.378 of 2019 in CRL.OP.NO.644 of 2019 dated 09/01/2019 [IN CRL.MP.NO.3268 OF 2019]

[ii] stay all further proceedings in S.C.No.43 of 2018 on the file of the Mahila Court, Erode pending disposal of this quash petition before this Honble Court [IN CRL.MP.NO.378 OF 2019]

Order : These petitions coming on for orders upon perusing the petition and upon hearing the arguments of M/S.S.KAMADEVAN, Advocate [IN CRL.MP.NO.3268 OF 2019] & M/S.M.N.BALAKRISHNAN, Advocate [IN CRL.MP.NO.378 OF 2019] for the petitioner and of PUBLIC PROSECUTOR on behalf of the 2nd Respondent in CRL.MP.NO.3268 OF 2019 IN CRL.OP.NO.644 OF 2019 and 1st Respondent IN CRL.MP.378/2019 IN CRL.OP.NO.644 OF 2019 the court made the following order:-

The learned counsel for the respondent defacto complainant submitted that only based on the civil suit decree, the petitioner obtained order of stay. Further he submitted that the civil suit decree is nothing to do with the crime committed by the petitioner.

2. Considering the facts and circumstances of the case, the interim stay already granted by this Court in Crl.M.P.No.378 of 2019 in Crl.O.P.No.644 of 2019 is vacated.

3. It is made clear that the pendency of this petition is not an impediment to proceed with the trial as such the trial court is directed to proceed with the trial in SC.No.43 of 2018.

4. Post the main OP "for final disposal".

-sd/-

11/03/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
PULIAMPATTY POLICE STATION,
ERODE DISTRICT

3 THE MAHILA COURT,
ERODE.

+1C.C. to M/S.S.KAMADEVAN Advocate on payment of necessary charges SR NO.5083

Order

in

CRL MP.3268 & 378 of 2019
and CRL.OP.NO.644 OF 2019

Date :11/03/2019

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format

MK:14/03/2019