



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.12021 of 2019

P.A.Shahabudeen

...Petitioner

-Vs-

1.State Rep. by
The Inspector of Police,
Kavundapadi Police Station,
Erode District.
(Crime No.89 of 2012)

2.N.G.Palanichamy

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, praying to call for the records relating to the charge sheet in C.C.No.64 of 2014, on the file of the learned Judicial Magistrate No.II, Gobichettipalayam in Crime No.89 of 2012 on the file of the 1st respondent and quash the same.

For Petitioner : M/s.S.Kumar Devan
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1
Mr.N.Manoharan for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.64 of 2014, on the file of the learned Judicial Magistrate No.II, Gobichettipalayam.

2. When this petition was filed, the petitioner did not bring to the notice of this Court, the discharge petition that was already filed before the Court below, which was dismissed and as against which, the petitioner filed Crl.R.C.No.1534 of 2017 before this Court. The petitioner also did not bring to the notice of this Court, the dismissal of Crl.R.C.No.1534 of 2017 filed before this Court by order dated 06.12.2017. All these facts were concealed at the time of moving this petition.

3. In view of concealment of the fact by the petitioner, this Court is not inclined to entertain this petition filed under Section 482 of Cr.P.C, since the petitioner has approached this Court with unclean hands.



4. In the result, this Criminal Original Petition is dismissed and the trial Court is directed to complete the proceedings in C.C.No.64 of 2014, within a period of three months from the date of receipt of copy of this order.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To
1.The Judicial Magistrate,No II,
Gopichettipalayam

2.The Inspector of Police,
Kavundapadi Police Station,
Erode District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr. N.Manoharan , Advocate SR.No. 59869
+1cc to Mr. M/s.S.Kumar Devan, Advocate SR.No. 59930

CrI.O.P.No.12021 of 2019

A.SK(05/08/2019)
A.SK(30/08/2019)