

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5049 of 2017
and
Crl.M.P.Nos.3750 & 3751 of 2017

S.Sundaramurthy ... Petitioner
Vs.

1. State of Tamilnadu
Rep by Inspector of Police,
District Crime Branch,
Dharmapuri.

2. K.Jayavel ... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to C.C.No.193 of 2016 on the file of the learned Judicial Magistrate - II, Dharmapuri and quash the same.

For Petitioner : Mr.S.Subramanian

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

For R2 : Mr.E.Kannadasan

O R D E R

The prayer sought for in the present Criminal Original Petition is to call for the records relating to C.C.No.193 of 2016 on the file of the learned Judicial Magistrate - II, Dharmapuri and quash the same.

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 respondent police registered a case in Crime No.07 of 2014 for the offences under Sections 406,420,120(B) & 506(i) of IPC, as against the petitioner and Accused 1 and 3 and filed a charge sheet in C.C.No.193 of 2016 before the learned Judicial Magistrate-II, Dharmapuri. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that the respondent police has completed the investigation in Crime No.07 of 2014 and also filed a charge sheet in C.C.No.193 of 2016 before the learned Judicial Magistrate-II, Dharmapuri.

4. Heard Mr.S.Subramanian, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent and Mr.E.Kannadasan, learned counsel appearing for the second respondent.

5. In view of the above discussion, this Court is not inclined to quash the C.C.No.193 of 2016. However, considering the Calender Case is of the year 2016, the learned Judicial Magistrate-II, Dharmapuri is directed to complete the proceedings within a period of six months from the date of receipt of copy of this Order.

6. With the above directions, this Criminal Original petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
District Crime Branch,
Dharmapuri.

2. The learned Judicial Magistrate II
Dharmapuri.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.E.Kannadasan, Advocate sr 20384

Cr1.O.P.No.5049 of 2017
and

Cr1.M.P.Nos.3750 & 3751 of 2017

RR(CO)
SP(06/05/2019)