

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5052 of 2017
and Crl.M.P.Nos.3754 & 3755 of 2017

T.Balu ...Petitioner/Accused
Vs.

State by
The Inspector of Police,
CCIW CID, Villupuram,
Villupuram District.
Cr.No.1 of 2012 ...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the entire records concerned in C.C.NO.208 of 2015 on the file of the Judicial Magistrate-I, Villupuram, Villupuram District and quash the same in so far relates to petitioner is concerned.

For Petitioner : Mr.C.Prakasam

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

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.NO.208 of 2015, pending on the file of the Judicial Magistrate-I, Villupuram, Villupuram District in so far relates to petitioner is concerned.

2.The learned counsel for the petitioner submitted that this Court has already closed the petition filed by the petitioner in Crl.O.P.NO.13619 of 2016 on 01.07.2016 for the reason that the trial has been commenced with the examination of PW1. The learned counsel further submitted that the petitioner filed a petition in C.M.A.No.5 of 2013, challenging the surcharge order before the Principal District Judge, Villupuram. The learned Judge by an order dated 29.07.2016 had set aside the surcharge order and rejected the enquiry report filed under Section 81 of the Tamilnadu Cooperative Societies Act, insofar as the

petitioner is concerned.

3.The learned Additional Public Prosecutor would submit that already the prosecution examined PW1 to PW10 witnesses.

4. Considering the above facts and circumstances this Court is not inclined to entertain this petition at this stage and the petitioner is at liberty to raise whatever the points raised here before the trial Court. Accordingly this Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petitions are also closed.

mpa/rpl

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Villupuram.
2. -Do- Thro' The Chief Judicial Magistrate,
Villupuram.
- 3.The Inspector of Police,
CCIW CID, Villupuram,
Villupuram District.
- 4.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.C.Prakasam, Advocate, SR.NO.11476

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Kak(18/03/2019)