

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10540 of 2017
and Crl.M.P.Nos.6952 & 6953 of 2017
and
WMP No.1030 of 2019

- 1.Kadhirmani
- 2.Arumugam
- 3.Rajendran
- 4.Periyasamy
- 5.Mani
- 6.Ekambaram
- 7.Chinnasamy,
- 8.Irusappan
- 9.Varadharaj
- 10.Ganesan
- 11.Manikandan
- 12.Ramar
- 13.Mani
- 14.Selvaraj
- 15.Duraisamy @ Dubai
- 16.mani @ Manivel
- 17.Chengamalai
- 18.Rajendran
- 19.Karthikeyan
- 20.Palanimuthu
- 21.Velmurugan
- 22.Kolanjinathan
- 23.Sekar @ Gnanasekar
- 24.Saravanan
- 25.Kandasamy
- 26.Ganesan
- 27.Sadaiyan @ Gobal
- 28.Kali Pichaipillai
- 29.Chelllasamy @ Chengali
- 30.Chengamalai
- 31.Palanisamy @ Palanivel
- 32.Ramasamy
- 33.Mahendran
- 34.Selvaraj
- 35.Kolanjinathan

36.Senthilkumar
37.Subramani
38.Thangaraju
39.Subramaniyan
40.Thangaraju
41.Arumugam
42.Ramar
43.Elangovan
44.Ramar @ Gurusamy
45.Sekar @ Chandrasekar
46.Ramachandran
47.Subramanian
48.Alagesan
49.Rajendran
50.Subramani
51.Shanmugam
52.Thangavel
53.Velmurugan
54.Velmurugan
55.Nataraj
56.Senthilkumar
57.Rajendran
58.Murugesan
59.Thangavel

... Petitioners

Vs.

1.State represented by Deputy Superintendent of Police,
Perambalur,
Perambalur District.

2.State respresented by
Inspector of Police,
Mangalamedu Police Station,
Perambalur District.
(Crime No.182 of 1999)

3.Ellamuthu

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records and Quash the proceedings in PRC No.17/2001 pending on the file of the Learned Judicial Magistrate at Perambalur against the petitioners concerned.

For Petitioners : Mr.G.P.Padmanapan
For Respondents

For R1& R2 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed to Quash the proceedings in PRC No.17/2001 pending on the file of the Learned Judicial Magistrate at Perambalur against the petitioners concerned.

2. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.182 of 1999 for the offences under Sections 148, 481, 324, 326, 436 of IPC R/W.3(ii), (iv), (v) 3(1) (15) of the SC/ST (Prevention of Atrocities) Act 1989 and the same was taken cognizance in PRC.No.17 of 2001 by the learned Judicial Magistrate, Perambalur.

3. The learned Additional Public Prosecutor would submit that there are specific allegations as against the petitioners to attract the offence under Section 148, 481, 324, 326, 436 of IPC R/W.3(ii), (iv), (v) 3(1) (15) of the SC/ST (Prevention of Atrocities) Act 1989. He further submitted that there are witnesses in this case and all the points raised by the petitioners have to be considered only during the trial. Therefore, he prayed to dismiss this petition.

4. Heard Mr.G.Padmanapan, learned counsel appearing for the petitioners and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for respondent 1 & 2.

5. It is seen from the charge that there are specific avernments to attract the offences as against the petitioners. Further it is also seen that there are materials to connect the petitioners to the offences. More over all the points raised by the petitioners have to be considered only during the trial. The petitioners are at liberty to raise all the points before the Court below during the trial.

6. In view of the above discussions, this Court is not inclined to quash the proceedings in PRC.No.17 of 2001. However, considering the case is of the year 2001, the trial Court is directed to complete the trial proceedings within a period of three months from the date of receipt of copy of this Order.

7. With the above directions, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

pds/lok

To

- 1.The Deputy Superintendent of Police,
Perambalur,
Perambalur District.
- 2.The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.
- 3.The Additional Public Prosecutor,
High Court, Chennai.
- 4.The Judicial Magistrate,
Perambalur.

Copy to

The Section Officer,
Criminal Section,
High Court, Madras.

+lcc to Mr.G.Padmanabhan, Advocate Sr.19820

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ssv[co]
srg 27/04/2019