

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.3707 of 2017 and
CrI.M.P.Nos.2734 & 2735 of 2017

P.K.Ganesan

... Petitioner

Vs.

Union of India,
Represented by
Inspector / RPF / Coimbatore

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 Cr.P.C. to quash the C.C.No.1057 of 2016 on the file of the learned Judicial Magistrate No.I, Coimbatore.

For Petitioner : Mr.A.Kumanaraja

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

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.1057 of 2016 on the file of the learned Judicial Magistrate No.I, Coimbatore.

2. The learned counsel for the petitioner submitted that the petitioner is not the owner of the SPN Travels for that he also produced some document. Under Section 482 Cr.P.C. this Court cannot test the said document and it has to be produced before the trial court and only during the trial, the petitioner can establish the point. Further the disputed question of fact cannot be considered here. Therefore, this Court is not inclined to allow the prayer sought for by the petitioner.

3. Accordingly, this Criminal Original petition is dismissed. However, considering the case is of the year 2016 and considering the facts and circumstances of the case, the

learned Judicial Magistrate No.I, Coimbatore is directed to complete the trial in C.C.No.1057 of 2016 within a period of three months from the date of receipt of this order. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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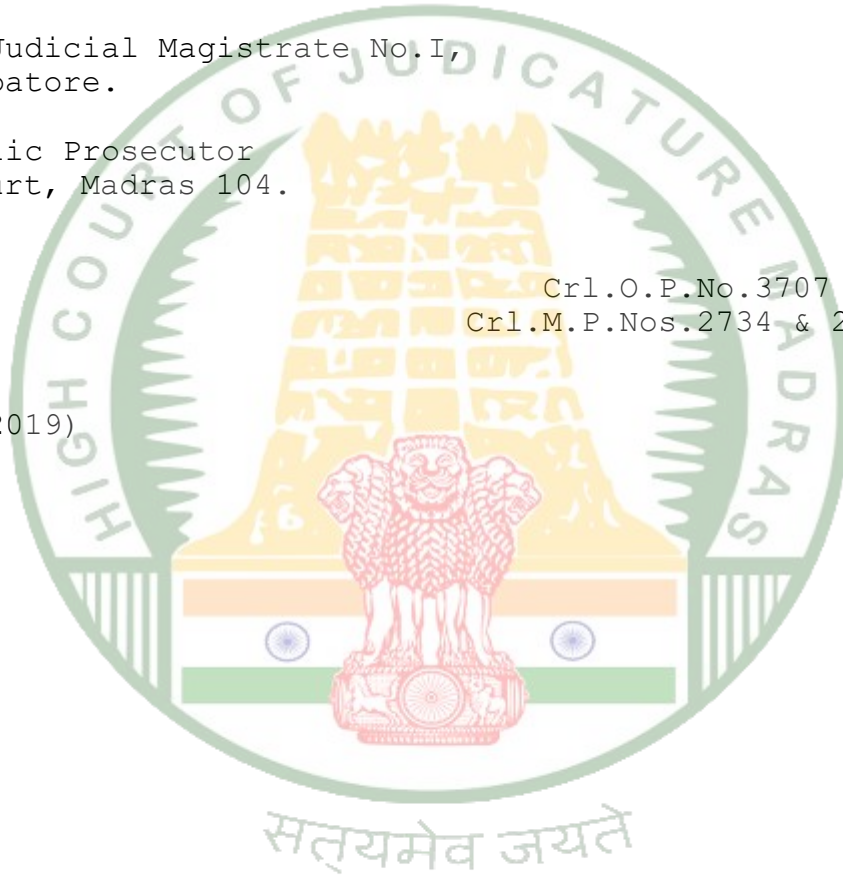
To

1. The Judicial Magistrate No.I,
Coimbatore.

2.The Public Prosecutor
High Court, Madras 104.

Cr1.O.P.No.3707 of 2017 and
Cr1.M.P.Nos.2734 & 2735 of 2017

SP(28/05/2019)



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