



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CrI.O.P. [MD]No.4092 of 2019

and

CrI.M.P. (MD)No.2459 of 2019

K.Kandhaiah

: Petitioner/Defacto
Complainant

Vs.

1.The Superintendent of Police,
Pudukkottai District.

2.The Inspector of Police,
K.Pudhupatti Police Station,
Pudukkottai District.
(Crime No.73 of 2013)

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to withdraw the C.C.No.63 of 2014 on the file of the Judicial Magistrate, Thirumayam and consequently direct the first respondent to conduct fresh enquiry by some other competent officer except the second respondent and file a fresh final report before this Court.

For Petitioner : Mr.K.Baalasudharam
For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This petition has been filed to withdraw the C.C.No.63 of 2014 on the file of the Judicial Magistrate, Thirumayam and consequently direct the first respondent to conduct fresh enquiry by some other competent officer except the second respondent and file a fresh final report.

2. The learned Additional Public Prosecutor submitted that the trial in this case has been commenced. He further submitted that three witnesses have already been examined and it is in the stage of trial.

3. Inasmuch as trial in this case has already been commenced, this Court does not want to interfere with the ongoing trial process. Accordingly, this criminal original petition is dismissed.



Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

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Sub Assistant Registrar(CS)

To

- 1.The Judicial Magistrate,
Thirumayam .
- 2.The Superintendent of Police,
Pudukkottai District.
- 3.The Inspector of Police,
K.Pudhupatti Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. [MD]No.4092 of 2019

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KK/SAR/09.05.2019/ 2P- 5C