

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATE: 21.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**Cr1.O.P. (MD) .No.4368 of 2017****and****Cr1.M.P. (MD) .Nos.3117 and 3118 of 2017**

R.Murugan

... Petitioner/Sole Accused

-Vs-

1.The State represented by
the Inspector of Police,
Puliampatti Police Station,
Thoothukudi District.
(Crime No.38 of 2015)

...1st Respondent/Complainant

2.Shanmugavel

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the charge sheet in C.C.No.68 of 2016 on the file of the learned Judicial Magistrate No.I, Kovilpatti.

For Petitioner	:	Mr.P.Banuprasath
For R1	:	Mr.K.Suyambulinga Bharathi Government Advocate (Cr1.side)

O R D E R

The criminal original petition has been filed to quash the charge sheet in C.C.No.68 of 2016 on the file of the learned Judicial Magistrate No.I, Kovilpatti.

2. The petitioner is the sole accused and he has been charged for the offences under Sections 279, 337, 304(A) and Section 3 r/w. 181 of Motor Vehicles Act. The allegation against the petitioner is that without any driving licence, he has driven a two wheeler in a rash and negligent manner and dashed against another two wheeler and caused death of one Palanikumar. Hence, a criminal case has been registered against the petitioner and subsequently, investigation has been completed and final report has also been filed before the learned Judicial Magistrate No.I, Kovilpatti and the same was taken cognizance in C.C.No.68 of 2016. Now, challenging the same, the present criminal original petition has been filed.

3. I have heard the learned counsel for the petitioner as well as the learned Government Advocate (Cr1.side) and also gone through the materials available on record.



4. A careful perusal of entire materials available on record, the final report discloses a *prima facie* offence against the petitioner and there is no reason to interfere with the same. Hence, the criminal original petition is dismissed. However, considering the fact that the trial is pending from the year 2016, the learned Judicial Magistrate No.I, Kovilpatti is directed to proceed with the trial and complete the same within a period of six months from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

akv

To

1. The Judicial Magistrate No.1,
Kovilpatti.
2. The Inspector of Police,
Puliampatti Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.P.BANU PRASATH, Advocate Sr. No.70814

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SMV(CO)

TR (05.07.2019) 2P 5C