



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

Crl.O.P. (MD) No.7003 of 2014

and

M.P. (MD) .No.1 of 2014

Sudarsanam : Petitioner/Accused No.2

Versus

1.The Inspector of Police,
Rajapalayam South Police Station,
Rajapalayam, Virudhunagar District.
(Crime No.228 of 2008) : Respondent/Complainant

2.P.Ramasamy Raja : Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records pertaining to charge sheet in C.C.No.233 of 2013, on the file of the learned Judicial Magistrate, Rajapalayam, Virudhunagar District and quash the same.

For Petitioner : Mr.S.Muthumalai Raja

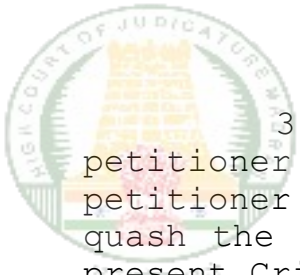
For Respondent No.1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

For Respondent No.2 : No Appearance

ORDER

This petition has been filed to quash the criminal proceedings in C.C.No.233 of 2013, on the file of the learned Judicial Magistrate, Rajapalayam, Virudhunagar District.

2.The learned counsel appearing for the petitioner submitted that totally there are eight accused in this crime. The petitioner herein is arrayed as the 8th accused in C.C.No.311 of 2009. Earlier, other accused filed a quash petition in Crl.O.P. (MD).No.10171 of 2012 to quash the proceeding in C.C.No.311 of 2009 and this Court by an order dated 20.06.2018, quashed the above criminal proceedings, on the ground that, it is only a civil dispute and a criminal colour has been given to this case.



3. Earlier, the case has been split up in respect of the petitioner and other and numbered as C.C.No.233 of 2013. Now the petitioner is arrayed as accused No.2 in C.C.No.233 of 2013, to quash the case in C.C.No.233 of 2013, the petitioner has filed the present Criminal Original Petition.

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4. Today, when the matter was taken up for hearing, the learned Government Advocate (Crl. side) appearing for the first respondent, on instructions, submitted that already based on the order passed by this Court in C.C.No.311 of 2009, the learned Judicial Magistrate, Rajapalayam, has discharged the accused by an order dated 31.07.2018.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner has been discharged from the case, no further adjudication is required in this Criminal Original Petition

6. Accordingly, the Criminal Original Petition stands closed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

/ True Copy /

Sub Assistant Registrar (CS-)

Tsg

To

1. The Judicial Magistrate, Rajapalayam,
Virudhunagar District.

2. The Inspector of Police,
Rajapalayam South Police Station,
Rajapalayam, Virudhunagar District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Cr1.O.P. (MD) No.7003 of 2014
Dated: **08.07.2019**