



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2019

CORAM:

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THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.10618 of 2018

and

Crl.M.P.(MD)Nos.4746 & 4747 of 2018

Natesan

...Petitioner

-Vs-

The Inspector of Police,
CBCID, Karur District.
Crime No.28/2005

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No. 337/2010 on the file of Judicial Magistrate No. II, Karur and quash same as against this petitioner

For petitioner : Mr.P.Muthusamy

For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate(crl.side)

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No. 337 of 2010 on the file of Judicial Magistrate No. II, Karur.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.28 of 2005, as against the petitioner and filed the charge sheet in C.C.No.337 of 2010 on the file of Judicial Magistrate No. II, Karur. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) would submit that there are specific allegations as against the petitioner. He would further submit that now the trial commenced and P.W.1 to P.W.10 already examined and it is posted for further hearing and all the points raised by the petitioner have to be considered only



during the trial. Therefore, he prayed to dismiss this petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent.

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

6. In view of the above discussion, this Court is not inclined to quash the proceedings in C.C.No.337 of 2010. However, considering the case is of the year 2010, the learned Judicial Magistrate No. II, Karur, is directed to complete the entire trial proceedings in C.C.No.337 of 2010 within a period of six months from the date of receipt of copy of this Order. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

Ls

To

1. The Judicial Magistrate No. II,
Karur.
2. The Inspector of Police,
CBCID, Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.10618 of 2018
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JMN(21.11.2019) 2P : 4C