

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21494 of 2017
and
Crl.M.P.No.12642 of 2017

R.Saranraj
S/o.Rajavel

...Petitioner/Accused

Vs.

1. The Deputy Superintendent of Police,
Perambalur Sub-Divison,
Perambalur District.

2. The Inspector of Police,
Perambalur Police Station,
Perambalur.

...Respondents 1 and 2/
Complainants

3. The Village Adminstrative Officer,
Kurumbalur North Village,
Perambalur, Perambalur District.

...3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for records in F.I.R.No.263 of 2017 from the file of the 2nd respondent police and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.A.Illaya Perumal
For Respondents: Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

This petition has been filed by the petitioner to call for records in F.I.R.No.263 of 2017 from the file of the 2nd respondent police and quash the same.

2. Learned counsel for the petitioner submitted that the petitioner is A1 in Crime No.263 of 2017. Initially, the FIR was registered under Section 174 Cr.P.C. Later, the offence was altered to Sections 294 (b), 306 IPC r/w. 3(1)(r) & (S), 3(2)(v), 3(1)(s) of SC/ST (POA) Amendment Act, 2015.

3. The contention of the learned counsel for the petitioner is that the petitioner has got nothing to do with the offence. It is the other accused who is the friend of the petitioner herein had a love affair with the deceased, who belonged to the SC/ST Community. Due to misunderstanding between them, the deceased ended her life and the petitioner is not the cause for the same. The petitioner happened to be the friend of the lover of the deceased and he has been falsely implicated in this case. Hence, the petitioner filed this present petition.

4. Learned Additional Public Prosecutor appearing for the respondent would submit that investigation is now completed and charge sheet has been filed and the same is taken on file as Spl. S.C. No.31 of 2018 before the Principal Sessions Judge, Perambalur. Initially trial was pending before the Principal Sessions Judge, Perambalur and thereafter, the case was transferred to Special Judge, for SC / ST Act cases and the case was posted on 16.09.2020. As far as the petitioner is concerned, he is appearing regularly before the Court and Non-Bailable Warrant is pending against the other accused namely Parthiban. Coming to know about the pendency of the trial, the petitioner seeks withdrawal of this petition with liberty to raise all the points before the concerned Court.

In view of the above submission, petitioner is permitted to withdraw the petition with liberty to raise all the points before the appropriate forum. Accordingly, this Criminal Original Petition is dismissed as withdrawn. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

To

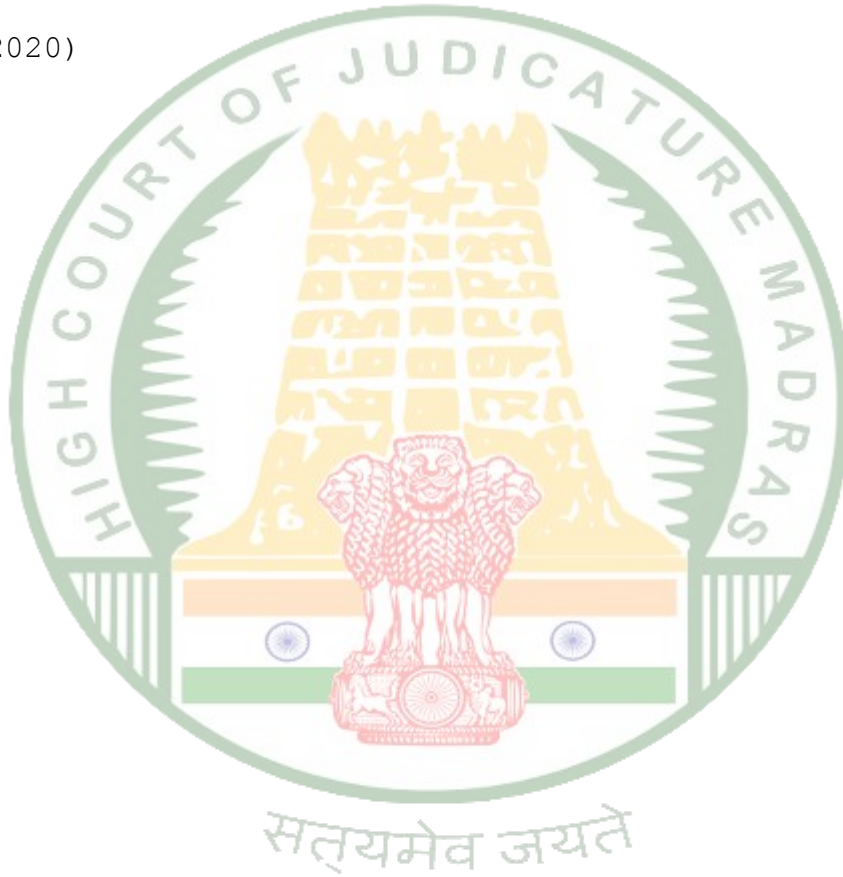
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Perambalur, Perambalur District.

+1cc to Mr.A.Ilayaperumal, Advocate in Sr.30056

Crl.O.P.No.21494 of 2017
and Crl.M.P.No.12642 of 2017

MR(CO)
RV(13/10/2020)



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