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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 27.02.2020

Pronounced on : 22.05.2020

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.15113 of 2015

and

MP(MD)No.1 of 2015

Kasaniya

... Petitioner / Accused

Vs.

The District Collector,
Madurai District,
Madurai - 625 020.

... Respondent / Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the impugned proceedings in C.C No.103 of 2014 on the file of the learned Judicial Magistrate, Melur and quash the same.

For Petitioner : Mr.A.Mohan

For Respondent : Mr.A.Natarajan,
State Public Prosecutor,
assisted by Mr.A.Robinson,
Government Advocate (crl.side)

ORDER

This criminal original petition was taken up along with quite a few other criminal original petitions raising the same issue. Few criminal original petitions were allowed since the petitioners informed the court that they have no claim whatsoever on the granite blocks found in their lands. The other criminal original petitions in which such a statement was not made suffered dismissal. This Court wanted to know the stand of the petitioner herein. The petitioner's counsel stated that he is not having any instruction from his client.

2. Therefore, this criminal original petition is dismissed. The petitioner is however given liberty to file a fresh petition on the same cause of action. In other words, if a fresh petition is filed by the petitioner herein, the same will not be thrown out



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at the threshold on the ground of laches. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Skm

To

1.The District Collector, Madurai District, Madurai.

2.The Judicial Magistrate, Melur.

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

Crl OP(MD)No.15113 of 2015

and

MP (MD) No.1 of 2015

22.05.2020

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