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CRL.O.P.(MD)NO. 13141 OF 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Cr1.O.P.(MD)No.13141 of 2016 and
CRL.M.P.(MD)Nos.6149 & 6150 of 2016

S.Vijayakumar

... Petitioner/Accused No.8

Vs.

1. The Inspector of Police,
The Land Grabbing Preventing Cell,
Madurai,
Madurai District.

... Respondent/Complainant

2. P.Murugan

... Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to C.C.No.26 of 2014 on the file of the Special Judicial Magistrate Court, for the Land Grabbing cases, Madurai and to quash the said proceedings as against the petitioner herein.

For Petitioner : Mr.R.Muthamil Rajan

For R-1 : Mr.A.Robinson,
Government Advocate(Crl. Side).

* * *

O R D E R

Heard the learned counsel on either side.

2. The petitioner is figuring as accused No.8 in C.C.No.26 of 2014 on the file of the Special Judicial Magistrate for Land Grabbing cases, Madurai, for the offences under Sections 120(b), 419, 465, 468, 452, 387, 506(i) of I.P.C. altered as Section 120(B), 419, 452, 468, 471, 387, 420 and 506(i) of I.P.C.

3. The petitioner is a document writer. The case of the defacto complainant is that a forged document has been executed and registered.

4. Based on the instructions, the petitioner has filed an affidavit and he undertakes to support the case of the defacto complainant. The petitioner is willing to be examined as Court witness so as to support the case of the prosecution. If the petitioner fails to act as per this undertaking, he will be dealt with as per the law.



5. Recording the petitioner's undertaking that he will appear as Court witness and support the case projected by the prosecution, the impugned prosecution in this criminal original petition stands quashed as far as the petitioner is concerned.

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6. The case is of the year 2014. Therefore, the Court below is directed to dispose of the case in C.C.No.26 of 2014 on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

7. The criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl. side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Pmu

To:

1. The Special Judicial Magistrate
for the Land Grabbing cases, Madurai.
2. The Inspector of Police,
The Land Grabbing Preventing Cell, Madurai.
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. Muthamilrajan, Advocate in SR No.9672 dated: 02.03.2020.

Crl.O.P.(MD)No.13141 of 2016

Dated: 27.02.2020

PU (21.05.2020) 2P 5C