



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2020

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**Cr1.O.P. (MD) Nos.13554, 13555, 13556, 13557 and 13558 of 2016
and**

**Cr1.M.P. (MD) Nos.6329, 6330, 6331, 6332, 6333, 6334, 6335, 6336, 6337
and 6338 of 2016**

1.Manoharan
2.Sampath
3.Kamala
4.Singaram @ Singaravel
5.Balasubramaniyan
6.R.Dhanalakshmi
7.G.Kaliyamoorthi
8.Karthikeyan
9.Suganthi
10.Sathya

... Petitioners in all Cr1.OP's
-vs-

1.The State represented by
The Inspector of Police,
Kumbakonam West Police Station,
Kumbakonam, Thanjavur District
(Cr.No.168, 172,175,178 and
181 of 2015)

...1st Respondent in all Cr1.OP's

Kannan ...2nd Respondent in Cr1 OP.(MD)No.13554 of 2016
Sithi Ayisha Natchiya ...2nd Respondent in Cr1.OP(MD)No.13555 of 2016

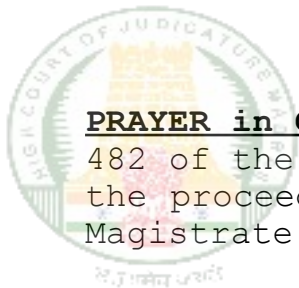
Balaji ...2nd Respondent in Cr1 OP.(MD)No.13556 of 2016

Ravi ... 2nd Respondent in Cr1.OP(MD)No.13557 of 2016

Abdul Kapur ... 2nd Respondent in Cr1 OP(MD)No.13558 of 2016

PRAYER in Cr1.O.P. (MD)No.13554 of 2016: Petition filed under Section 482 of the Criminal Procedure Code to call for the records and quash the proceedings in P.R.C.No.19 of 2016 on the file of the Judicial Magistrate No.II, Kumbakonam, Thanjavur District.

PRAYER in Cr1.O.P. (MD)No.13555 of 2016: Petition filed under Section 482 of the Criminal Procedure Code to call for the records and quash the proceedings in P.R.C.No.20 of 2016 on the file of the Judicial Magistrate No.II, Kumbakonam, Thanjavur District.



PRAYER in CrI.O.P. (MD)No.13556 of 2016: Petition filed under Section 482 of the Criminal Procedure Code to call for the records and quash the proceedings in P.R.C.No.21 of 2016 on the file of the Judicial Magistrate No.II, Kumbakonam, Thanjavur District.

PRAYER in CrI.O.P. (MD)No.13557 of 2016: Petition filed under Section 482 of the Criminal Procedure Code to call for the records and quash the proceedings in P.R.C.No.22 of 2016 on the file of the Judicial Magistrate No.II, Kumbakonam, Thanjavur District.

PRAYER in CrI.O.P. (MD)No.13558 of 2016: Petition filed under Section 482 of the Criminal Procedure Code to call for the records and quash the proceedings in P.R.C.No.23 of 2016 on the file of the Judicial Magistrate No.II, Kumbakonam, Thanjavur District.

For Petitioners : Mr.A.Thiruvadikumar
For Respondent : Mr.A.Robinson
Government Advocate (CrI.side)
(in all CrI.O.Ps.)

ORDER

The petitioners herein are facing trial in five Sessions cases for the offences under Sections 147, 447, 352, 506(i) of IPC read with Section 3(1) of PPDL Act.

2.The primary contention urged by the learned counsel for the petitioners is that for a single occurrence that took place on 29.01.2015 at 9.00 a.m., five First Information Reports were filed and five different charge sheets were filed and five committal proceedings were taken place and now the petitioner is facing five different sessions cases.

3.I am satisfied that all the five sessions cases will have to be amalgamated into a single consolidated sessions case. If it is done, the grievance of the petitioner is substantially addressed. It is made clear that I have not gone into the merits of the matter and all the contentions of the petitioners are left open.

4.Considering the facts and circumstances of this case, the personal appearance of the petitioners before the Court below is also dispensed with. Ofcourse, they have to appear in all on those occasions, when their presence is necessary and imperative. Ofcourse, the petitioners will not take advantage of the benefit now conferred by contending that the witnesses were examined in their absence. The mandate set out under Section 317 of Cr.P.C., will squarely govern this case.

5.With these directions to the Additional Sessions Judge, Thanjavur at Kumbakonam to amalgamate S.C.No.61 to 65 of 2015 into a single consolidated sessions case, these Criminal Original Petitions



stand disposed of. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CS-III)

/ /2020

Sub Assistant Registrar (CS)

Pnn

To

1.The Additional Sessions Judge,
Thanjavur at Kumbakonam

2.The Judicial Magistrate No.II,
Kumbakonam , Thanjavur Dist.

3.The Inspector of Police,
Kumbakonam West Police Station,
Kumbakonam, Thanjavur District.

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

Crl.O.P. (MD) Nos.13554, 13555, 13556,
13557 and 13558 of 2016
25.02.2020

SMA/05/03/2020/3P/5C