



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.9762 of 2016

and

Crl.M.P. (MD)Nos.4911 and 4912 of 2016

- 1.Thiyagarajan
- 2.Murugan
- 3.Nellaiappan
- 4.Rajivi Gandhi
- 5.Veeran
- 6.Balakrishnan
- 7.Balamurugan
- 8.Rengan (Murugan)
- 9.Murugan
- 10.Kannan

... Petitioners/Accused 1 to 10

Vs

- 1.The Executive Magistrate cum
Deputy Commissioner of Police (L&O),
Tirunelveli City,
Tirunelveli District. ... 1st Respondent/Respondent
- 2.Velkani,
The Inspector of Police,
Pettai Police Station,
Tirunelveli,
Tirunelveli District. ... 2nd Respondent/Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the order of impugned notice issued by the Executive Magistrate cum Deputy Commissioner of Police (L & O), Tirunelveli City, Tirunelveli District, dated 23.05.2016 made in Case No.329 of 2016 and quash the same.

For Petitioners : Mr.Palanivelayutham

For R1 : Mr.A.Robinson
Government Advocate (Crl.side)



ORDER

This criminal original petition has been filed for quashing the impugned proceedings initiated by the Executive Magistrate under Section 107 of Cr.P.C.

2.The proceedings are of the year 2016. More than four years have elapsed. Therefore, in the very nature of things, the proceedings cannot survive. Hence, the same stands quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)

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To

1.The Executive Magistrate cum
Deputy Commissioner of Police (L&O),
Tirunelveli City,
Tirunelveli District.

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

Crl.O.P (MD) No.9762 of 2016
and

Crl.M.P. (MD) Nos.4911 and 4912 of 2016
13.01.2020

JMN(31.01.2020) 2P : 3C