

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.724 of 2021
and Crl. MP. Nos.420 & 421 of 2021

1. Murali

2. Vimala ... Petitioners/Accused No.2 & 3
vs.

1. The State rep by:
The Inspector of Police,
Kuvagam Police Station,
Ariyalur, Ariyalur District.
(Crime No.16/2019) ... 1st Respondent/Complainant

2. Panneerselvam ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the connected records made in C.C.No.311 of 2019 on the file of District Munsif cum Judicial Magistrate, Sendurai, Ariyalur District and quash the same.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.M.Mohamed Riyaz

Addl. Public Prosecutor, for R1

ORDER

This petition has been filed to quash the proceedings in CC No.311 of 2019 on the file of the District Munsif cum Judicial Magistrate, Sendurai, Ariyalur District.

2. Mr.Bubalan, Sub Inspector of Police, Kuvagam Police Station, Ariyalur, Ariyalur District, was present before this Court at the time of hearing.

3. The learned Additional Public Prosecutor on instructions submitted that the trial has already commenced and P.Ws. 1 and 2 have already been examined and the case is posted for the examination of the other prosecution witnesses.

4. The learned counsel appearing for the petitioner submitted that the entire incident happened in a spur of the moment and the parties are relatives and an attempt can be made to compromise the matter.

5. Taking into consideration the facts and circumstances of the case and also the fact that the trial has already commenced and two witnesses have been examined, this Court is not inclined to entertain this quash petition at this stage. It is left open to the petitioner to raise all the issues before the Court below and the same shall be considered independently on its own merits and in accordance with law. If there is any compromise between the parties, it is always left open to the petitioner to move a fresh petition before this Court seeking for quashing the proceedings on the ground of compromise.

6. This Criminal Original Petition is disposed of accordingly. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

jv

To

1. The District Munsif cum Judicial Magistrate
Sendurai, Ariyalur District
2. The Inspector of Police,
Kuvagam Police Station,
Ariyalur, Ariyalur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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SR11(CO)
SP(17/03/2021)