



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 1.6.2021.

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR
Crl.O.P.No.8344 of 2021

and

Crl.M.P.Nos.5498 & 5499 of 2021

1. K.Saravanan
2. P.Kulanthaivel

Petitioners

vs.

1. The State rep. by
The Sub-Inspector of Police,
Puduchathiram Police Station,
Namakkal District,
Cr.No.41 of 2018

2. Muthusamy

Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to C.C.No.99 of 2018 on the file of the learned Judicial Magistrate II at Namakkal and quash the same as illegal.

For Petitioners : Mr.G.Munuraj
For Respondents : Mr.A.Damodaran,
Govt. Advocate (Crl.Side) for R1

ORDER

It is submitted by the prosecution that trial has already commenced and a witness has been examined on the side of the prosecution and for examination of the remaining witnesses, the case is posted on 17.6.2021.

2. A perusal of the FIR and other materials available, this court is of the view that the allegations contained in the petition cannot be permitted and the proceedings cannot be quashed merely on the ground that certain allegations have been made in the petition since the trial has already commenced. The petitioner can establish his case before the Trial Court. The trial shall be concluded within a period of six weeks from the date of receipt of a copy of this order. Accordingly, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssk/hvk.



To

1. The Judicial Magistrate II
Namakkal.

2. The Sub-Inspector of Police,
Puduchathiram Police Station,
Namakkal District,

3. The Public Prosecutor,
High Court of Madras.

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UM(CO)
B.VC(20.07.2021)