

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.17810 of 2017
and CrI.M.P Nos.13193 & 10880 of 2017

1.Balu @ Chairman Balu
2.S.Asaithambi
3.K.Subramani
4.P.Kuppusamy
5.P.Loganathan @ Babu
6.S.R.Nadanasabapathi
7.T.A.BalasundaramPetitioners

vs.

State by
1. The Inspector of Police,
CBCID, Namakkal,
Namakkal District.
(Crime No.882 of 2007)

2. G.Subramani Respondents

PRAYER: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to call the entire records concerned in C.C.No.1 of 2015 on the file of the Chief Judicial Magistrate, Namakkal, Namakkal District and quash the same insofar as the petitioners are concerned.

For Petitioners : Mr.C.Prakasam

For Respondents : Mr.C.Raghavan

Government Advocate for R1

Mr.T.Sundaravadanam for R2

WEB COPY

ORDER

This petition has been filed to quash the proceedings in C.C.No.1 of 2015 on the file of the learned Chief Judicial Magistrate, Namakkal District.

2.It is brought to the notice of this Court that the petitioners had filed a discharge petition before the learned Chief Judicial Magistrate, Namakkal and the same was dismissed

by an order dated 10.02.2016. The same became a subject matter of challenge before this Court in CrI.R.C.No.396 of 2016. This Court after analyzing the materials available on record, dismissed the revision petition by an order dated 18.07.2017.

3.The present quash petition came to be filed before this Court on 18.08.2017, after the dismissal of the revision petition. There is absolutely no reference to the discharge petition filed earlier and also the dismissal of the Criminal Revision by this Court. The petitioners have approached this Court with unclean hands without revealing the entire facts and therefore, this petition is liable to be dismissed on this ground alone.

4.In the result, this criminal original petition is dismissed. There shall be a direction to the Court below to complete the proceedings in C.C.No.1 of 2015, within a period of two weeks from the date of receipt of copy of this order.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssr
To

1. The Chief Judicial Magistrate,
Namakkal, Namakkal District.
2. The Inspector of Police,
CBCID, Namakkal,
Namakkal District.
3. The Public Prosecutor,
High Court of Madras,
Madras.

+1 CC to Mr.T.Sundaravadanam, Advocate sr 9495.

CrI.OP No.17810 of 2017
and CrI.M.P Nos.13193 & 10880 of 2017

AD(CO)
SP(16/03/2021)