



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.8375 of 2021

and

Crl.M.P.(MD)No.4298 of 2021

WEB COPY

Illayaraja

... Petitioner

Vs.

1. State represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

2. Marimuthu

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the FIR in Crime No.121 of 2021 dated 06.03.2021 for the alleged offence under Sections 279 and 304 (A) IPC.

For Petitioner : Mr.R.Senthilkumar

For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

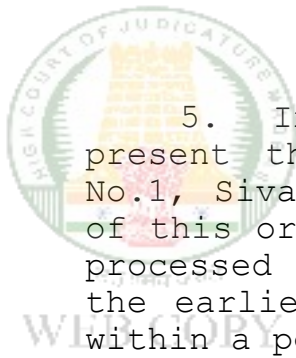
ORDER

This petition has been filed seeking quashment of FIR in Crime No.121 of 2021 on the file of the first respondent herein which was registered under Sections 279 and 304(A) IPC.

2. The case of the petitioner is that he is working as a Driver in Tamil Nadu State Transport Corporation and arrayed as an accused in the aforesaid crime number. The accident took place only due to the rash and negligence of the victim, who was juvenile aged about 16 years. He was riding a two wheeler, which was having the capacity of more than 100cc. Moreover, a photograph shows that only the victim was on wrong side of the road and hit against the bus, fell down and succumbed to the injuries. Therefore, he was not responsible for the accident.

3. However, the learned Additional Public Prosecutor submitted that investigation was completed and final report is also prepared on 05.05.2021 and the same will be presented before the concerned Court within a short time.

4. At this point of time, the learned counsel for the petitioner submitted that a direction may be issued to the Judicial Magistrate No.1, Sivagangai to expedite the trial.



5. In view of the above, the first respondent is directed to present the final report before the learned Judicial Magistrate No.1, Sivagangai, within a week from the date of receipt of a copy of this order. On such final report being filed, the same shall be processed by the learned Judicial Magistrate No.1, Sivagangai, at the earliest and after full trial, the same shall be disposed of, within a period of six months thereafter.

6. With the above direction, the Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note In view of the present lock down owing
: to COVID-19 pandemic, a web copy of
the order may be utilized for official
purposes, but, ensuring that the copy
of the order that is presented is the
correct copy, shall be the
responsibility of the
advocate/litigant concerned.

To

1. The Judicial Magistrate No.1,
Sivagangai.

2. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

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

+1 CC to M/s.R.SENTHIL KUMAR, Advocate (SR-20656[F] dated
30/06/2021)

Crl.O.P. (MD)No.8375 of 2021
28.06.2021

KK(05.07.2021) 2P 5C

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