



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1 OP(MD)No.17882 & 18081 of 2021
and
Cr1 MP(MD)Nos.9898, 9899, of 2021

In Cr1 OP(MD)No.18081 of 2021 : -

1.Fazuludin
2.Abdulkather
3.Haseena
4.Mohamed Mohideen
5.Mohideen

...Petitioners/Accused 1 to 5

vs.

1.The State, rep.by
The Inspector of Police,
Kadayanallur Police Station,
Kadayanallur,
Tirunelveli District.
(In Crime No.95 of 2020)

...Respondent No.1/Complainant

2.S.A.Sharfuddin

... Respondent No.2/
Defacto complainant

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the charge sheet filed in STC No.409 of 2020 on the file of the learned Judicial Magistrate Court, Tenkasi and quash the same as illegal.

In Cr1 OP(MD)No.17882 of 2021 : -

1.Sarpudeen
2.Moopan Abdul Kadar

...Petitioners/Accused Nos.1&2
vs.

1.The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli.
(Crime No.94 of 2020)

...Respondent No.1/
Complainant

2.Mohaideen

...2nd respondent /
Defacto complainant



Prayer : Petition filed under Section 482 of Cr.Pc to call for the records to quash the impugned charge sheet in STC No.410 of 2020 pending on the file of the Judicial Magistrate, Tenkasi.

In Crl OP(MD)No.18081 of 2021 : -

For petitioner : Mr.R.Karunanidhi
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor for R1
Mr.G.Karuppasamy Pandiyan for R2

In Crl OP(MD)No.17882 of 2021 : -

For Petitioner : Mr.G.Karuppasamy Pandiyan
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor for R1

Mr.R.Karunanidhi for R2

COMMON ORDER

Crl OP(MD)No.18081 of 2021 has been filed by five accused to quash STC No.409 of 2020 on the file of the learned Judicial Magistrate Court, Tenkasi. S.A.Sharfuddin is the defacto complainant in the said case. The case was registered for the offences under Sections 147, 451, 294(b), 506(1) and 352 of IPC. The defacto complainant S.A.Sharfuddin represented by his counsel Shri.G.Karuppasamy Pandian has no objection for quashing the impugned proceedings.

2.Recording the said submission made by the learned counsel for the defacto complainant, the impugned proceedings in STC No.409 of 2020 on the file of the learned Judicial Magistrate Court, Tenkasi are quashed.

3.Crl OP(MD)No.17882 of 2021 has been filed by S.A.Sharfuddin and one Moopan Abdul Kadar for quashing the proceedings in STC No.410 of 2020 on the file of the learned Judicial Magistrate Court, Tenkasi. Mohaideen, the fifth petitioner in Crl OP(MD)No.18081 of 2021 is the complainant in STC No.410 of 2020. He is represented by his counsel Mr.R.Karunanidhi who is the counsel for the petitioners in the other O.P. Mr.Mohaideen through his counsel states that he has no objection for quashing the impugned proceedings in STC No.410 of 2020.

4.Recording the said submission made by the learned counsel for the defacto complainant, the impugned proceedings in STC No.410 of 2020 on the file of the learned Judicial Magistrate Court, Tenkasi



are quashed. Both the O.Ps are allowed. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

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/ /2022

Sub Assistant Registrar(CS)

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, Tenkasi.

2.The Inspector of Police,
Kadayanallur Police Station,
Kadayanallur, Tirunelveli.

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

+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR.No.39610)

Crl OP(MD)No.17882 &
18081 of 2021
15.12.2021

MGJ(27.01.2022) 3P 5C