



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.18822 of 2021

Antony Doss

... Petitioner / Accused No.1

Vs.

1.State rep. By,

The Inspector of Police,
Commercial Crime Investigation Wing,
C.I.D. Tiruchirappalli,
(Crime No.4 of 2010)

... 1st Respondent / Complainant

2.A. Palanivel,

Deputy Registrar of Co-operative Society,
Trichy.

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned charge sheet in C.C.No.5 of 2011 pending on the file of the learned Judicial Magistrate No.II, Trichy and quash the same as illegal in so far as the petitioner is concerned.

For Petitioner

: Mr.M.Sridharan

For R-1

: Mr.T.Senthil Kumar,

Additional Public Prosecutor.

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O R D E R

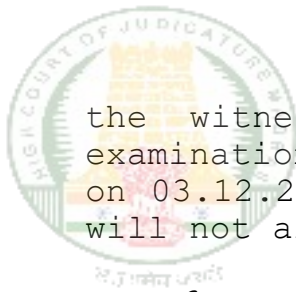
Heard the learned counsel on either side.

2. This criminal original petition has been filed to quash the proceedings in C.C.No.5 of 2011 on the file of the Judicial Magistrate No.II, Trichy.

3. The learned counsel appearing for the petitioner reiterated all the contentions set out in the memorandum of grounds.

4. I am not persuaded by the aforesaid contentions. As rightly pointed out by the learned Additional Public Prosecutor, this is not the first time the petitioner moved this Court to quash the impugned proceedings. The petitioner's earlier criminal original petitions had suffered a dismissal.

5. Therefore, the petitioner has to necessarily establish his innocence only before the Court below. It is stated that almost all



the witnesses have been examined. What remains is the cross examination of the investigation officer alone. The matter is posted on 03.12.2021. Therefore, the question of interfering at this stage will not arise.

6. Leaving open all the contentions and the defences of the petitioner, this criminal original petition is dismissed. If the investigation officer does not appear on 03.12.2021, the Court below will initiate coercive process against him to secure him.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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.II,
Trichy.
- 2.The Inspector of Police,
Commercial Crime Investigation Wing,
C.I.D. Tiruchirappalli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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