



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.20713 of 2021

and

Crl.M.P. (MD)Nos.11804 & 11806 of 2021

Sundar

... Petitioner / Sole Accused

Vs

1.State rep. by
The Inspector of Police,
District Crime Branch,
Theni,
Theni District.
(Crime No.7 of 2021)

2.G.Karuppasamy

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to quash C.C.No.139 of 2021 on the file of the Judicial Magistrate, Theni, Theni District insofar as the petitioner is concerned.

For Petitioner : Mr.R.Suriyanarayanan

For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.139 of 2021 on the file of the Judicial Magistrate, Theni.

2. Since contentious facts are involved, I decline to invoke inherent powers of this Court. This Criminal Original Petition stands dismissed.

3. At this stage, the petitioner's counsel points out that when the petitioner applied for anticipatory bail, finding was given by this Court that the document relied on by the defacto complainant is not a genuine document. According to the petitioner, the first respondent did not conduct the investigation properly. He therefore wants this Court to grant him liberty to file a petition for further



investigation. If the petitioner is having such a right, it is open to him to avail the same. In the event of petitioner having to face the trial, his personal appearance before the Court below is dispensed with. The petitioner however has to appear on those occasions which are material and necessary. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rmi

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, Theni, Theni District.
- 2.The Inspector of Police,
District Crime Branch,
Theni,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.20713 of 2021
23.12.2021

RK(10/01/2021) 2P 4C