



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.4531 OF 2022

AND

CRL.M.P.NOS.2327 & 2328 OF 2022

Madhan @ Prasanth
S/o.Jayaraman

... Petitioner/Accused (A5)

vs.

1. The Inspector of Police,
Thirukkazhukundram Police Station,
Thirukkazhukundram,
Chengalpattu District.

2. J.Pazhani

... Respondents/Respondent
& Defacto Complainant

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected with proceedings of PRC.No.27 of 2015 pending trial on the file of the learned District Munsif Cum Judicial Magistrate at Thirukkazhukundram.

For Petitioner : Mr.A.Venkatesan

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor
For R1

No appearance for R2

ORDER

This petition has been filed seeking to call for the entire records connected with proceedings of PRC.No.27 of 2015, pending on the file of the learned District Munsif Cum Judicial Magistrate at Thirukkazhukundram.



WEB COPY

2. The learned counsel appearing for the petitioner would submit that excepting naming the petitioner as 5th accused, no other specific overt act against the petitioner. He would further submit that the 2nd respondent/de-facto complainant was admitted in the hospital on 12.06.2014 and he has been discharged on the very next day. Therefore, he seeks to quash the proceedings.

3. The learned Additional Public Prosecutor would submit that it is the case where the petitioner along with 12 other person assaulted the de-facto complainant with deadly weapons like knife, iron rods and stick. The de-facto complaint has sustained injuries and the petitioner's name is in the FIR as well as in the statement.

4. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the 1st respondent and perused the entire materials available on record.

5. This Court finds that there are materials available as against the petitioner and thereby, the proceedings cannot be interdicted when there are materials available. There is no merit in the petition.

6. However, taking into consideration the charge sheet, the case has been registered in the year 2014 and PRC is pending from the year 2015, this Court directs the learned District Munsif cum Judicial Magistrate, Thirukkazhukundram, to commit the case to the trial Court as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of this order.

7. This Criminal Original Petition stands dismissed with the above direction. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vkr

To

1. The District Munsif cum Judicial Magistrate,
Thirukkazhukundram.



2. The Inspector of Police,
Thirukkazhukundram Police Station,
Thirukkazhukundram,
Chengalpattu District.

WEB COPY

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.A.Venkatesan, Advocate, S.R.No.14074

CRL.O.P.NO.4531 OF 2022 AND
CRL.M.P.NOS.2327 & 2328 OF 2022

SR(CO)
PBS/17/03/2022