



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.5020 OF 2018

AND

CRL.M.P.NOS.2504 & 2505 OF 2018

1. S.Devagi

2. K.M.Sampath

... Petitioners/Accused

Versus

1. The State by
The Inspector of Police,
Vaniyambadi Town Police Station,
Vellore District.
(Crime No.156/2014)

... 1st Respondent/Complainant

2. Mr.Ravi, Engineer,
Acting Commissioner,
Vaniyambadi Municipality,
Vellore District.

At present working as Engineer,
Punjai Puliamatti Grade-II Municipality,
Punjai Puliamatti,
Erode District.

... 2nd Respondent/Defacto
Complainant

PRAYER:-

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in a case registered under Sections 294(b), 353 and 309 IPC in C.C.No.5 of 2018 pending on the file of learned Judicial Magistrate, Vaniyambadi and quash the same.

For Petitioners : Mr.K.Thiruvengadam

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl. side)
For R1



O R D E R

This Criminal Original Petition has been filed to quash the final report filed under Sections 294(b), 353 and 309 IPC in C.C.No.5 of 2018 on the file of learned Judicial Magistrate, Vaniyambadi.

2. The crux of the allegation in the final report is that while the Municipality carried out the encroachment drive, they found that the accused had constructed the building belonging to the Municipality. The accused had abused and also threatened the witnesses to commit suicide.

3. The learned Government Advocate(Crl.side) submitted that the trial has already commenced and P.W.1 to P.W.3 were already examined. He further submitted that the matter is posted for further evidence on 21.02.2022.

4. This Court has perused the entire materials available on record. In view of the fact that the evidence is already addressed before the trial Court, this Court is not inclined to quash this petition at this stage. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed. The petitioners are at liberty to raise all their grounds before the trial Court.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

msv/nr

To

1. The Judicial Magistrate,
Vaniyambadi.
2. -Do Thro The Chief Judicial Magistrate,
Vellore.



3. The Inspector of Police,
Vaniyambadi Town Police Station,
Vellore District.

4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.NO.5020 OF 2018 AND
CRL.M.P.NOS.2504 & 2505 OF 2018

BR (CO)
PBS/10/02/2022