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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4954 of 2022

Asarudeen

... Petitioner/Accused 16

Vs.

The State Represented by
The Inspector of Police,
Kattumannarkoil Police Station,
Cuddalore District.

... Respondent/Complainant

Prayer: The Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, pleased to call for the records in Crime No.139 of 2018 on the file of the respondent-Police and quash the same.

For Petitioner : Mr.K.Bommuraj

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor(Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No. 139 of 2018 dated 05.04.2018 on the file of the respondent Kattumannarkoil Police Station, Cuddalore District, for the offences under Sections 143 and 188 of I.P.C.

2.The learned counsel appearing for the petitioner would submit that the facts of the case are similar to the case covered in the decision reported in 2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018 and in the case of Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.

3. The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent would submit that the facts of the case are similar to the facts covered under the Judgment referred above.



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4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor (Crl.Side) appearing for the respondent.

5. Perused the materials on record.

6. The facts of this case is similar to the facts covered by the Judgment of this Court reported in 2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018 and in case of Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019.

7. In view of the above, this Court is of the opinion that further continuance of proceedings is nothing but an abuse of process of law in respect of all other accused also.

8. Accordingly, the criminal original petition stands allowed, the proceedings in Crime No. 139 of 2018 dated 05.04.2018 on the file of the respondent Kattumannarkoil Police Station, Cuddalore District, is hereby quashed in respect of all the accused.

Sd/-

Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

srn

To

1. The Inspector of Police,
Kattumannarkoil Police Station,
Cuddalore District

2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.K.Bommuraj, Advocate SR.No.14947

Crl.O.P.No.4954 of 2022

SKM(CO)
GMY(28/03/2022)