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Crl.O.P.No.18904 of 2021
& Crl.M.P.Nos.10389 & 10392 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.18904 of 2021
& Crl.M.P.Nos.10389 & 10392 of 2021

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Petitioner

versus

1.The State represented by
Inspector of Police,
H1 Police Station,
Old Washermenpet,
Chennai - 600 021.
(Crime No.668 of 2018)

2.Nagendran
Head Constable,
H1, Washermenpet Police Station,
Old Washermenpet,
Chennai - 600 021.

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Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to call for the records in C.C.No.2778 of 2018 on the file of the learned XV Metropolitan Magistrate, George Town, Chennai and quash the same.

For Petitioner : M/s.S.Menaka

For Respondent No.1 : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.2778 of 2018 on the file of the learned XV Metropolitan Magistrate, George Town, Chennai.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the first respondent.

3. The learned Additional Public Prosecutor appearing for the first respondent submitted that the trial has already been commenced and out of 11 witnesses, 8 witnesses have been examined.

4. Even the submission of the learned counsel for the petitioner would show that at the time of filing the petition itself 4 witnesses have been examined and they have not stated anything incriminating the fourth accused. Since the trial had already been commenced and most of the witnesses have been examined, it is appropriate to impress the petitioner to participate in the trial and to allow the trial court to pass the judgment by properly appreciating the evidence on record.



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5. Since most of the witnesses have been examined, I feel it is appropriate to direct the learned XV Metropolitan Magistrate, George Town, Chennai, to dispose the case in C.C.No.2778 of 2018 as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

6. With these observations, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

06.12.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

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R.N.MANJULA, J.

sri

To

- 1.The XV Metropolitan Magistrate,
George Town, Chennai.
- 2.The State represented by
Inspector of Police,
H1 Police Station,
Old Washermenpet,
Chennai - 600 021.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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