



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2022

WEB COPY

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.33058 of 2019

and

Crl.M.P.Nos.18226 & 18227 of 2019

K.Chandran

... Petitioner

Vs.

1.State of Tamil Nadu

Rep.by the Inspector of Police
Cherambadi Police Station
Cherambadi 643 205
Nilgiris District.

2.Union of India

Rep.by the Superintendent of Police Officer,
Nilgiris Division
Nilgiris 643 001.

... Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C, praying to call for the records and to quash the proceeding in C.C.No.11 of 2019 in Crime No.75 of 2013 on the file of the Judicial Magistrate Court, Pandalur.

For Petitioner : Mr.R.Malaichamy

For Respondents : Mr.R.Vinothraja for R1
Government Advocate (Crl.Side)

ORDER

This petition has been filed to call for the records and to quash the proceeding in C.C.No.11 of 2019 in Crime No.75 of 2013 on the file of the Judicial Magistrate Court, Pandalur.

2. The learned counsel for the Petitioner would submit that the petitioner was working as a Postal Assistant at Nilgiris District. A case was registered against him in Crime No.75 of 2013 for the cause of action that arose between 01.06.2003 and



12.05.2006. There was a delay of 7 years. Therefore, the case is affected by the Limitation Act. Further, he would submit that the petitioner was permitted to retire by the Postal Department. Therefore, he seeks to quash the charge sheet. He already filed a petition to quash the First Information Report, but the same was dismissed as withdrawn since the charge sheet has been laid before the trial Court.

3. The learned Government Advocate (Crl.Side) vehemently objects to quash the charge sheet on the ground that there was no stay granted by this Court. Therefore, the trial proceeded and as on date LW1 to LW7 had been examined.

4. Considering the stage of the trial, it is not a fit case to quash the charge sheet. Further, the contention of the learned counsel for the Petitioner is to be considered as a valuable defence of the Accused, which can be agitated before the trial Court.

5. In the light of the above, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed. The learned Judicial Magistrate Court, Pandalur, is directed to proceed with the trial and dispose of it within a period of two months from the date of receipt of a copy of this order.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

dna
To

1. The Judicial Magistrate Court,
Pandalur.

2. The Inspector of Police
Cherambadi Police Station
Cherambadi 643 205
Nilgiris District.

3. The Superintendent of Police
Nilgiris Division
Nilgiris 643 001.



4.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Malaichamy, Advocate Sr.23118

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srg 27/04/2022