



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.1864 of 2022

and

Crl.M.P(MD) Nos.1359 & 1360 of 2022

WEB COPY

P.Sundaravel

... Petitioner/Accused No.2
Vs.

1.The State represented by
The Inspector of Police,
C.C.I.W.C.I.D.,
Trichy
(Crime No.4 of 2007)

...Respondent/Complainant

2.The Deputy Registrar of Co-operative Societies,
Tiruchirappalli Circle,
Tiruchirappalli District.

...Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for records pertaining to C.C.No.62 of 2010 on the file of the learned Judicial Magistrate No.II, Tiruchirappalli, quash the same.

For Petitioner : Mr.A.Saravanan
For M/s.Pais Lobo @ Alvares

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

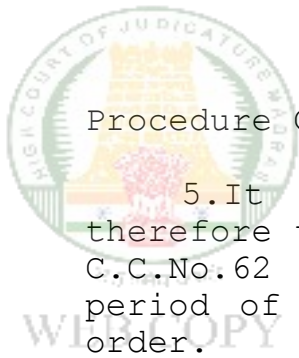
O R D E R

The petitioner is figuring as an accused in the impugned calendar case.

2.He was the Honorary Secretary of the Co-operative Society in question during the relevant time.

3.This Criminal Original Petition filed for quashing the impugned proceedings.

4.The learned Additional Public Prosecutor pointed out that the trial had already commenced three witnesses had been examined and three hundred documents have been marked. Though there is no impediment for this Court to entertain the quash petition even after the commencement of trial, as a matter of normal practice, this Court declines to exercise its jurisdiction under Section 482 of Criminal



Procedure Code, once the trial has commenced.

5.It is stated that the petitioner is a senior citizen, therefore the Court below is directed to conclude the proceedings in C.C.No.62 of 2010, on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

6.The personal appearance of the petitioner before the Court below is dispensed with. All the defences of the petitioner are left open.

7.With the above observation, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The Judicial Magistrate, No.II, Trichy.

2.The Inspector of Police,
C.C.I.W.C.I.D., Trichy

3.The Deputy Registrar of Co-operative Societies,
Tiruchirappalli Circle,
Tiruchirappalli District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P(MD)No.1864 of 2022

02.02.2022

KS(CO)

TR(07.03.2022) 2P 5C