



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.2995 of 2022

and

Crl.M.P(MD)No.2240 of 2022

K.Kalaiselvan

... Petitioner/Sole Accused

Vs.

1.The State represented by
The Inspector of Police,
Sammatti Viduthi Police Station,
Pudukkottai District.
(Crime No.9 of 2012)

... 1st Respondent/Complainant

2. Karuppaiah

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned F.I.R in Crime No. 9 of 2012 dated 02.02.2012 on the file of the first respondent police and quash the same.

For Petitioner : Mr.P.Krishnasamy

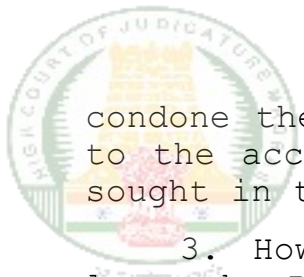
For Respondents : Mr.B.Thanga Aravindh

Government Advocate(Crl.Side) for R.1

ORDER

This Criminal Original Petition has been filed to quash the FIR as against the petitioner / Sole Accused in Crime No.9 of 2012 on the file of the first respondent for the alleged offence under Section 304(A) IPC.

2. The learned Government Advocate (Criminal Side), on instructions, submitted that investigation has already been completed and the final report was filed as early as on 03.03.2012 itself before the learned Judicial Magistrate Alangudi. However, it was returned and subsequently re-presented with delay. The prosecution has also filed the petition in Cr.M.P.No.176 of 2022 to



condone the said delay and the same is pending for issue of summon to the accused next hearing date 25.02.2022. Therefore, the prayer sought in this petition is infructuous and it is dismissed.

3. However, the petitioner is directed to appear before the learned Judicial Magistrate, Alangudi on the next hearing. Thereafter, the learned Judicial Magistrate, Alangudi is directed to dispose of the Cr.M.P.No.176 of 2022 on merits and in accordance with law, after giving opportunity of hearing to the petitioner, within a period of four weeks, thereafter. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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, Alangudi.
- 2.The Inspector of Police,
Sammatti Viduthi Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P(MD)No.2995 of 2022
01.03.2022

RD(24.03.2022) 2P 4C