



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.1917 of 2022

and

Crl.M.P(MD)Nos.1410 and 1411 of 2022

Sapapathi @ Sabapathi ... Petitioner/ Accused No.16
Vs.

1.The Deputy Superintendent of Police,
Samayanallur Circle,
Madurai District.

2.The State represented by
The Inspector of Police,
Sholavandan Police Station,
Madurai District.
(Crime No.224 of 2016)

...Respondents/Respondents/
Complainant

3.Vignesh Kumar, ...3rd Respondent/3rd Respondent
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records bearing in Spl.S.C.No.37 of 2020 on the file of the learned III-Additional District Judge for PCR Act Cases, Madurai and quash the same as against the petitioner.

For Petitioner : Mr.M.Jegadeesh Pandian
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the impugned proceedings.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

3.The petitioner is figuring as sixteenth accused. Since contentious facts are involved, I am not in a position to entertain the quash petition.



4.The petitioner is employed in the Indian Army. He is appearing before the Court below is dispensed with.

5.The petitioner is permitted to engage a learned Counsel through a special vakalat and the said Counsel can represent the petitioner at all stages. If the petitioner's appearance is necessary he can appear through video conferencing also. The trial Court will bear in mind that the accused is a Solider and he should be treated accordingly.

6.With the said observation, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition are also closed.

Sd/-

Assistant Registrar (Records)

// 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 III Additional District Judge
(PCR Act Cases), Madurai.

2.The Deputy Superintendent of Police,
Samayanallur Circle,
Madurai District.

3.The Inspector of Police,
Sholavandan Police Station,
Madurai District.

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

Crl.O.P (MD)No.1917 of 2022
02.02.2022

PN (CO)

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