



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.2060 of 2021

&

Crl.M.P. (MD)No.1007 of 2021

M.David Raj

...Petitioner

Vs.

1. The State represented by
The Sub Inspector of Police,
Thiruthangal Police Station,
Crime No.552 of 2015

2. Chella

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records relating to the petition and order in C.C No.738 of 2017 pending before the Judicial Magistrate-II, Sivakasi and quash the same.

For Petitioner : Mr.S.Mahalakshmi

For Respondent : Mr.B.Thanga Aravindh
No.1 Government Advocate (Criminal Side)

ORDER

This petition has been filed to quash the petition and order in C.C No.738 of 2017 pending before the learned Judicial Magistrate-II, Sivakasi.

2.The learned Government Advocate (Crl.Side) would submit that in this case, trial was commenced and PW1 to PW7 witnesses were examined on the side of prosecution and posted for further evidence.

3.After commencement of trial, there is no question of quashing of proceedings. Therefore, the prayer sought for in this petition become infructuous.

4.Accordingly, this Criminal Original Petition is dismissed as infructuous. However, the learned Judicial Magistrate is directed to dispose the case within three months, from the date of receipt of a



copy of this Order. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

WEB COPY

/ /2022

Sub Assistant Registrar(CS)

PNM

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-II, Sivakasi.
- 2.The Sub Inspector of Police,
Thiruthangal Police Station,
Crime No.552 of 2015
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.2060 of 2021

&

Crl.M.P. (MD)No.1007 of 2021

14.03.2022

RK(23/03/2022) 2P 4C