



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD).No.2766 of 2022

and

Crl.M.P(MD)Nos.2089 and 2090 of 2022

G.Rajesh

...Petitioner/
Sole Accused

Vs.

1.State rep. by
The Sub Inspector of Police,
Theni Police Station,
Theni District.
(Crime No.433 of 2013)

... 1st Respondent/
Complainant

2.Chandrasekaran

... 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to S.T.C.No.5713 of 2016, on the file of the Judicial Magistrate, Theni and quash the same as devoid of merits.

For Petitioner : Mr.A.Haja Mohideen

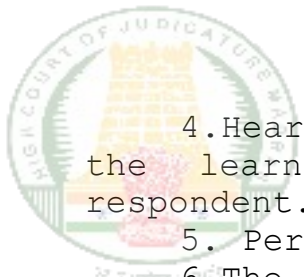
For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor(Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in S.T.C.No.5713 of 2016, on the file of the Judicial Magistrate, Theni.

2.The learned counsel appearing for the petitioner would submit that the facts of the case are exactly similar to the case covered in the decision reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018** and in the case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other** in batch of cases in **Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019**

3. The learned Additional Public Prosecutor appearing for the respondent would submit that the facts of the case are similar to the facts covered under the Judgment referred above.



4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. Perused the materials on record

6. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Cr1) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District]** dated 20.09.2018 and in case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Cr1.O.P(MD) No.7922 of 2019 dated 30.08.2019**. Accordingly, the proceedings in S.T.C.No.5713 of 2016, on the file of the Judicial Magistrate, Theni, is hereby quashed insofar as the petitioner alone and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (As)

// 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,
Theni.

2. The Sub Inspector of Police,
Theni Police Station,
Theni District.

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

+1 CC to M/s.A.HAJA MOHIDEEN, Advocate(SR-5081[F] dated 09/02/2022)

Cr1.O.P. (MD) .No.2766 of 2022
09.02.2022