



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM:

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

Crl.O.P. (MD)No.6342 of 2022

and

Crl.M.P (MD) Nos.4405 and 4406 of 2022

Alaudhin @ Sheik Alaudhin

...Petitioner/Accused No.2

Vs.

The State through
1. The Inspector of Police,
Kayathar Police Station,
Tuticorin District.
(Crime No.366/2012)

...1st Respondent/Complainant

2. Muthukrishnan

...2nd Respondent/Defacto
Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the Charge Sheet in C.C.No.333/2013 on the file of the Judicial Magistrate No.II, Kovilpatti and quash the same as against as petitioner/Accused No.2 are concern.

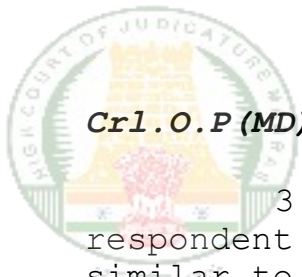
For Petitioner : Mr.C.Susi Kumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal side)
for R1

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.333 of 2013, on the file of the learned Judicial Magistrate No.II, Kovilpatti.

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 Government Advocate appearing for the respondent police 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 Government Advocate appearing for the respondent police.

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 Crl.O.P (MD) No.7922 of 2019 dated 30.08.2019.** Accordingly, the proceedings in C.C.No.333 of 2013, on the file of the learned Judicial Magistrate No.II, Kovilpatti is hereby quashed insofar as the petitioner alone and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True 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 No.II, Kovilpatti.

2. The Inspector of Police,
Kayathar Police Station,
Tuticorin District.



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

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Crl.O.P. (MD)No.6342 of 2022

and

Crl.M.P (MD) Nos.4405 and 4406 of 2022

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SG (CO)

KB (19.04.2022) 3P 4C