



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.03.2022

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.1660 of 2019
and
Crl.MP(MD)Nos.888 & 889 of 2019

1.Chelladurai
2.S.Manikandan
3.M.Sangili
4.M.Annakodi

... Petitioners/Accused 1,5,6 & 7

Vs.

1.The State rep by its
Inspector of Police,
B1, Vilakuthoon Police Station,
Madurai City.
(Crime No.761 of 2013)

2.The Assistant Engineer,
PWD (Building & Maintenance)
No.46, North Chithirai Street,
Madurai.

... Respondents/Complainant

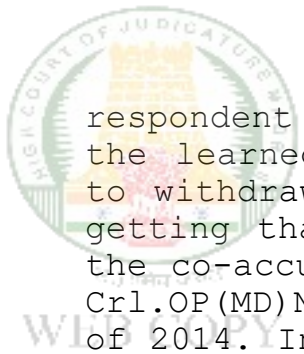
Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for records in S.C.No.118 of 2014 on the file of the learned Chief Judicial Magistrate, Madurai.

For Petitioners : Mr.R.Karthikeyan
For Respondents : Mr.B.Nambi Selvan,
Additional Public Prosecutor

O R D E R

This petition is filed seeking quashment of Proceedings in S.C.No.118 of 2014 on the file of the learned Chief Judicial Magistrate, Madurai.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that the petitioners moved a anticipatory bail application before this Court and the same was allowed on condition imposed upon them to deposit a sum of Rs.3.50 lakhs to the credit of Crime No.761 of 2013. Thereafter, the second



respondent has filed a petition in Crl.MP(MD)No.192 of 2015 before the learned Chief Judicial Magistrate, Madurai, seeking permission to withdraw the above said amount and the same was allowed. After getting that amount, repair work has also been done. Subsequently, the co-accused (A2 & A3) has filed a petition before this Court, in Crl.OP(MD)No.7596 of 2014 for quashing the proceedings in S.C.No.118 of 2014. In view of the above said development, this Court has come to the conclusion that nothing survives in this crime for further prosecuting the accused and allowed the same on 22.02.2016.

3.The learned counsel for the petitioners would submit that the petitioners herein are also standing in the very same footing.

4.The grievance against the petitioners is that when repair work was undertaken, by mistake, a portion of building, which belongs to the second respondent has been damaged with an intention.

5.The learned counsel for the petitioners would submit that without any intention, by mistake, a portion of the building was damaged and that was also repaired.

6.In view of the above, the proceedings in S.C.No.118 of 2014 on the file of the learned Chief Judicial Magistrate, Madurai, is quashed and the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dss

To

- 1.The Chief Judicial Magistrate,
Madurai.
- 2.The Inspector of Police,
B1, Vilakuthoon Police Station,
Madurai City.
- 3.The Assistant Engineer,
PWD (Building & Maintenance)
No.46, North Chithirai Street,
Madurai.



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

+1 CC to M/s.M.SURESH KUMAR, Advocate (SR-9549[F] dated
02/03/2022)

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and
Crl.MP (MD)Nos.888 & 889 of 2019
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SB (CO)
KB (18.03.2022) 3P 6C