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Crl.O.P.(MD)No.8031 of 2019



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.8031 of 2019

and

Crl.M.P.(MD)Nos.4952 and 4953 of 2019

1.Sudhakar

2.Bose @ Bojan @ Balamurganantham

... Petitioners/A1 and A2

vs.

1.The Deputy Superintendent of Police,
Kodaikanal Sub Division,
Dindigul District.

2.The State Rep. by
The Inspector of Police,
Thandigudi Police Station,
Thandigudi,
Dindigul District.
Crime No.145 of 2016

... Respondents/Complainants\

3.Muruganandam (Died) ... 3rd Respondent/De-facto complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records pertaining to the charge sheet in P.R.C.No.3 of 2017 on the file of the Judicial Magistrate, Kodaikanal and quash the same as illegal.



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For Petitioners : Mr.C.Mayilvahana Rajendran
For R1 & R2 : Mr.S.Manikandan
Government Advocate (Crl. side)
For R3 : Mr.R.Rajaselvam
Legal Aid Counsel

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the charge sheet in P.R.C.No.3 of 2017 on the file of the Judicial Magistrate, Kodaikanal and quash the same as illegal.

2.When the matter was pending, the third respondent was reported died.

3.It is not in dispute that the third accused is a juvenile and the case was split up as against him and that the case was committed and the same was taken on file in Spl.S.C.No.54 of 2020 before the Mahila Court, Dindigul.

4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the case in P.R.C.No.3 of 2017, against the present petitioners, was already committed vide order dated



01.07.2022.

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5.Considering the fact that the case was committed to the Principal District and Sessions Court, Dindigul and the same is now pending on the file of the Sessions Court, the present petition has become infructuous.

6.Accordingly, this Criminal Original Petition is dismissed as infructuous. However, the petitioners are at liberty to canvass their pleads and defence now taken in the above petition, before the trial Court. Consequently, connected miscellaneous petition is closed.

05.07.2022

Index : Yes/No

Internet : Yes/No

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To

1.The Principal District and Sessions Court
Dindigul.

2.The Judicial Magistrate, Kodaikanal .

3.The Deputy Superintendent of Police,
Kodaikanal Sub Division,



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Dindigul District.

Crl.O.P.(MD)No.8031 of 2019



K.MURALI SHANKAR, J.

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4.The Inspector of Police,
Thandigudi Police Station,
Thandigudi,
Dindigul District.

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

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