



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.05.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P (MD) No.9340 of 2022

in

CrI.MP.(MD)Nos.6076 & 6077 of 2022

WEB COPY

Nagaraj

... Petitioner/A19

Vs

1.State rep.by

The Inspector of Police,
Andipatti Police Station,
Theni District.
Crime No.285 of 2017.

... 1st Respondent/Complainant

2.Jeyachandran

...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned charge sheet in S.T.C.No.2443 of 2017 pending on the file of the learned Judicial Magistrate, Aundipatti, Theni District and quash the same as illegal in so far a the petitioner/accused No.19 concerned.

For Petitioner : Mr.A.Ram Kumar,

For 1st Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Criminal Side)

O R D E R

This Criminal Original Petition is filed for a direction to call for the records pertaining to the impugned charge sheet in S.T.C.No.2443 of 2017 pending on the file of the learned Judicial Magistrate, Aundipatti, Theni District and quash the same as illegal in so far a the petitioner/accused No.19 concerned.

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 (CrI) 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 **CrI.O.P(MD) No.7922 of 2019** dated 30.08.2019.



3. The learned Government Advocate (Crl.Side) 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 Government Advocate (Crl.Side) appearing for the first 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 (Crl) 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 S.T.C.No.2443 of 2017 pending on the file of the learned Judicial Magistrate, Aundipatti, Theni District, is hereby quashed insofar as the petitioner alone and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar
(Vacation Officer)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dss

To

1. The Inspector of Police,
Aundipatti Police Station, Theni District.

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

Copy to

The Judicial Magistrate,
Aundipatti,
Theni District.

+1 CC to M/s.A. RAMKUMAR, Advocate (SR-23884[F] dated 20/05/2022)

CRL.O.P (MD) No.9340 of 2022
19.05.2022

RK(28/05/2022) 2P 5C