



Crl.O.P.No.6071 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6071 of 2021
and
Crl.M.P.Nos.3959, 13347 & 13348 of 2021

1.R.Suruli @ Venkatesan

2.R.Ramesh

3.R.Pavun

...Petitioners

Vs.

1.State rep. By its
The Inspector of Police,
Barur Police Station,
Krishnagiri District.

2.Alamelu

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C., calling for the records relating to S.C.No.8 of 2021 on the file of the Additional Sessions Judge, Krishnagiri and quash the same.



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For Petitioners : Mr.B.Rajeshkrishnan

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor for R1

Mr.S.Sathyaraj for R2

ORDER

This petition is to quash the proceedings in S.C.No.8 of 2021 on the file of the Additional Sessions Judge, Krishnagiri.

2.The learned counsel appearing for the petitioners fairly submitted that the trial had commenced and the trial in the impugned proceedings is at the stage of examination of the Investigating Officer. However, he would pray that liberty may be granted to raise all their contentions before the Trial Court.

3.The learned Additional Public Prosecutor would submit that the 1st petitioner died on 28.01.2022 and hence, the charge against him has abated.



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4.This Court is not inclined to entertain the quash petition, since the trial is at the advanced stage. However, the petitioners are at liberty to raise all their contentions before the Trial Court.

5.It is further stated by the learned counsel appearing for the petitioners that at the time of admission, this Court had directed the petitioners to deposit Rs.10,000/- each to the credit of S.C.No.8 of 2021 without prejudice to their rights to agitate the petition on merits. The learned counsel would submit that they may be permitted to file a petition for withdrawal of the said sum in the event of their acquittal before the Trial Court. It is needless to say that that the petitioners would be entitled to withdraw the said sum in the event of their acquittal.

6.In view of the above, this Criminal Original Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

23.03.2023

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Internet : Yes/No

Index: Yes/No

Speaking / Non-speaking order

Nuetral Citation :Yes/No



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WEB COPY

To:-

- 1.The Inspector of Police,
Barur Police Station,
Krishnagiri District.
- 2.The Additional Sessions Judge,
Krishnagiri.
- 3.The Public Prosecutor
High Court of Madras,
Madras.



WEB COPY



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SUNDER MOHAN, J.

KKN

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