



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18786 of 2023
and Crl.M.P.Nos.12537 & 12538 of 2023

1.Mr.Tameem Ansari

2.Mr.Sithik

.. Petitioners

Vs.

1.State Rep. by its
The Inspector of Police,
Muthupettai Police Station,
Tiruvarur.
(Crime No.329 of 2005)

2.Mr.Sounderrarajan

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in PRC No.1 of 2022 pending on the file of the Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur and quash the same.



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For Petitioner : Mr.I.Abdul Basith

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor for R1

ORDER

This petition has been filed to quash the proceedings in PRC No.1 of 2022 pending on the file of the learned Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st respondent.

3.The final report was filed originally by the respondent police as against 31 accused persons for offence under Sections 147, 148, 324 of IPC and Section 25(1)(a) of the Arms Act, Section 307 r/w 149 of IPC and Section 3(1) of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992. The case was split up and A1 to A10 faced trial before the learned Chief Judicial Magistrate, Tiruvarur in S.C.No.133 of 2016. The learned Chief Judicial Magistrate, Tiruvarur by



judgment dated 02.03.2017 acquitted all the ten accused persons on the ground that the prosecution failed to prove the charges beyond reasonable doubt.

4.Taking into consideration, the above judgment of the learned Chief Judicial Magistrate, Tiruvarur, the split up case in S.C.No.581 of 2017 as against 11 other accused persons was also quashed by this Court by an order dated 05.08.2019. Similarly, the other split up against two other accused persons in PRC No.4 of 2006 was quashed by this Court in CrI.O.P.No.23802 of 2019 by order dated 21.04.2022.

5.The petitioners are arrayed as A18 and A24 and the case against the petitioners is pending in PRC No.1 of 2022. The petitioners are placed on par with the other accused persons who have already been acquitted. In view of the same, no useful purpose will be served in keeping the proceedings pending as against the petitioners.

6.In the result, proceeding in PRC No.1 of 2022 pending on the file of the learned Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur is hereby quashed



N.ANAND VENKATESH, J

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SSR

and accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

22.08.2023

Index : Yes/No

Internet : Yes/No

Speaking/Non-Speaking Order

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To

- 1.The Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur.
- 2.The Inspector of Police,
Muthupettai Police Station,
Tiruvarur.
- 3.The Public Prosecutor,
High Court, Madras.

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