



Crl.OP.No.22532 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.22532 of 2023

and

Crl.MP.No.15722 of 2023

Pannerselan

... Petitioner

Vs.

State Rep by

1. The Inspector of Police,
Vriddhachalam Police Station,
Cuddalore District.
Cr.No.753 of 2011

2. Raja @ Panthal Raja

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records relating to S.C.No.263 of 2017 on the file of Principal Assistant Sessions Judge, Vriddhachalam, Cuddalore District and quash the same.

For Petitioner : Mr.T.Meganathan

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

The petition to quash is filed by A16 in a case where 19 persons are arrayed as accused in connection with group clash between two villagers. When members of one village teased the school going girls of the other village. After completion of investigation, the respondent police has filed final report and the Court has taken cognizance of the offence under Sections 147, 148, 341, 294b, 323, 324, 506(ii), 307 and 109 of IPC.

2. After framing charges, the trial Court has commenced examination of witnesses. So far, four witnesses were examined. At this juncture, this petition is filed to quash the same on the grounds that the evidence of P.W.1 to P.W.4 does not specifically implicate this petitioner and therefore there is no possibility of conviction.

3. The learned counsel appearing for the petitioner stated that the incident took place in the year 2011 between two villagers and a charge sheet is filed after six years and the case is pending for more than 10 years for completion of the investigation.

4. The learned Government Advocate (Crl.Side) submitted that the prosecution is intending to examine 14 witnesses and the reasons stated in the quash petition is untenable and contrary to the facts.



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5. This Court on perusing the records found that during the trial only part of the listed witnesses have been examined and that the Court cannot jump into the conclusion prematurely about the guilty or innocence of accused particularly, when they are tried for unlawful assembly with weapons. Hence, this petition to quash stands dismissed.

6. However, if the accused co-operates, the trial court shall complete the trial within a period of reasonable time taking note of the date of incident.

Vv

09.10.2023

To

1.The Principal Assistant Sessions Judge,
Vriddhachalam,
Cuddalore District

2. The Inspector of Police,
District Crime Branch,
Villupuram District.

3.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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