



Crl.O.P.No.22280 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22280 of 2023
and
Crl.M.P.Nos.15489 & 15491 of 2023

G.Thirunanasambantham

... Petitioner

Vs.

1. State Rep by,
Deputy Superintendent of Police,
PEW, Villupuram.
Crime No.517 of 2015.

2. The Inspector of Police,
PEW, Villupuram.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the entire records in C.C.No.18 of 2023 on the file of the learned Judicial Magistrate – II, Villupuram and quash the entire proceedings against the petitioner.

For Petitioner : Mr.K.Vijayaragavan

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



ORDER

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This Criminal Original Petition is filed seeking direction to call for the entire records in C.C.No.18 of 2023 on the file of the learned Judicial Magistrate – II, Villupuram and quash the entire proceedings against the petitioner.

2. Petitioner herein is facing trial in C.C.No.18 of 2023 on the file of the learned Judicial Magistrate II, Villupuram for the offences under Sections 4(1)(a) of Tamil Nadu Prohibition Act, 217, 420, 120B, 381, 411, 465 & 109 of IPC. The specific overt act as against the petitioner is that, petitioner being a police constable was incharge of the vehicle at the time of submitting it before the Court with memo appears to have substituted with another vehicle and this has been spoken by the accused from whom the vehicle had been seized. There are some documents like chalan submitted to godown, wherein the involvement of the petitioner is apparently seen.

3. The learned counsel for the petitioner submitted that, the custody of the vehicle been under several police officials. But, only this petitioner has been isolated and prosecuted. The other persons who had custody of the



vehicle at some point or other were let out.

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4. In view of the above, this Court is of the opinion that the points raised by petitioner can be tested only during the trial and the same cannot be considered now. Therefore, quashment of the case cannot be considered now.

5. Accordingly, this Criminal original Petition is dismissed. However, the trial Court is directed to complete the trial in this case out of turn and dispose of it as expeditiously as possible, preferably within a period of five months from the date of receipt of copy of the order. Consequently, connected miscellaneous petitions are closed.

18.10.2023

Index : Yes/No
Neutral Citation : Yes/No
Sma
To

1. The Deputy Superintendent of Police,
PEW, Villupuram.
2. The Inspector of Police,
PEW, Villupuram.



3. The Public Prosecutor,
High Court, Madras.

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