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Crl. O.P. No.26192 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.O.P No.26192 of 2023
and Crl.M.P. Nos.18203 & 18204 of 2023

Tamilselvan

.. Petitioner

Vs.

1.The State represented by
The Sub-Inspector of Police,
Namakkal Police Station.
(Ref: Crime No.668 of 2017)

2.Ayyavoo

..Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to call for the records and quash the final report in S.T.C. No.1414 of 2019 on the file of the Chief Judicial Magistrate, Namakkal for offence under Sections 323 & 506(i) IPC.

For Petitioner

: Mr.Manoj Kumar for
Mr.R.Sivakumar

For Respondent 1

: Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.Side)



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ORDER

The petition is filed to quash the complaint ended in filing of final report taken cognizance by the learned Judicial Magistrate No.I, Namakkal in S.T.C. No.1414 of 2019 for offence under Sections 147, 148, 420, 469, 506(ii) IPC @ 323 & 506(i) IPC.

2. The learned counsel for the petitioner/first accused submitted that it is purely a civil dispute between the partners which has been given a criminal colour and case has been registered against this petitioner and others, though this petitioner was not in the scene of occurrence on the date of alleged incident.

3. However, the learned Government Advocate (Crl.Side) submitted that two witnesses has spoken about the petitioner apart from the injured witness and the injury also proves that there was violent attack on the defacto complainant by this petitioner and others.

4. On considering this material, this Court is of the view that this is not a case to quash the final report, however, it is necessary to issue a direction to the trial Court to expedite the trial in STC. No.1414 of 2019 pending on the file of the learned Judicial Magistrate No.I, Namakkal for



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past four years.

5. From the case status, it appears that the summons to listed witnesses been sent, for their appearance on 19.12.2023, from that day onwards, the trial may be conducted preferably on day to day basis and completed within a period of three months from the date of receipt of the copy of this order.

6. With this observations, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

30.11.2023

Internet : Yes/No

Index: Yes/No

rkp

To

1.The Chief Judicial Magistrate, Namakkal.

2.The Judicial Magistrate No.I, Namakkal.

3.The Sub-Inspector of Police,
Namakkal Police Station.

4.The Public Prosecutor,
Madras High Court,
Madras.



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Dr.G.JAYACHANDRAN, J.

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