



Crl.O.P.(MD) No.3834 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2023

CORAM:

**THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR**

Crl.O.P.(MD) No.3834 of 2020

and

Crl.M.P.(MD) No.2110 of 2020

Selva Velayutham

...Petitioner

Vs.

1.State represented by  
The Inspector of Police,  
Sankarankovil Town Police Station,  
Thirunelveli District.  
*(\*Amended vide order dated 06.03.2020)*

2.Vennimalai Yadav

...Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records of S.T.C.No.122 of 2017, pending on the file of the Judicial Magistrate Court, Sankarankovil and quash the same as illegal.

|                |                                |
|----------------|--------------------------------|
| For Petitioner | : Mr.V.Angusamy                |
| For R1         | : Mr.R.Sivakumar               |
|                | Government Advocate (Crl.Side) |



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## **ORDER**

This criminal original petition has been filed seeking to quash the charge sheet in S.T.C.No.122 of 2017, pending on the file of the Judicial Magistrate Court, Sankarankovil.

2.The learned Counsel appearing for the petitioner would submit that the petitioner gave a complaint, on the basis of which, the FIR came to be registered in Crime No.11 of 2016. He would further submit that there existed a property dispute between the petitioner and his father and that two FIRs are pending against the petitioner as well as his father. Therefore, the petitioner and his father were not in cordial terms and that the respondent police without investigating the above aspect, has laid the final report. The petitioner's father/defacto complainant has not seen the occurrence. However, only on the basis of the version given by the petitioner's friend, he has narrated the incident and on that basis, the FIR was registered.

3.When the matter is taken up for hearing, the learned Government Advocate(Crl.Side) would submit that the case stands posted for examination of P.W1 to P.W 3.



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4.It is pertinent to note that the case in S.T.C.No.122 of 2017, was pending from the year 2017 onwards. The aspects raised by the learned Counsel appearing for the petitioner cannot be gone into in the petition filed under Section 482 Cr.P.C and it is a matter for trial.

5.Hence this Court is not inclined to quash the proceedings in S.T.C.No.122 of 2017, pending on the file of the Judicial Magistrate Court, Sankarankovil. But, considering the pendency of the case for the past five years, the learned trial Judge is directed to complete the trial and dispose of the case as expeditiously as possible, preferably, within a period of three months, from the date of receipt of a copy of this order.

6.With the above direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

05.01.2023

NCC:Yes/No  
Index:Yes/No  
Internet:Yes/No  
lr

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To

1. The Judicial Magistrate, Sankarankovil
2. The Inspector of Police,  
Sankarankovil Town Police Station,  
Thirunelveli District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**K.MURALI SHANKAR, J.**

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