



Crl.O.P.(MD)No.14435 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2023

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.14435 of 2020
and
Crl.M.P.(MD)No.6761 of 2020

Arun Christopher

... Petitioner

Vs.

Forest Range Officer,
Othanchathiram Range Office,
Othanchathiram,
Dindigul District.
(WLOR.No.66 of 2016)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the complaint in C.C.No.66 of 2016 pending before the learned Judicial Magistrate Court, Othanchathiram Dindigul District and quash the same as illegal as against the petitioner alone.

For Petitioner : Mr.S.Rajasekar

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed to quash the complaint in C.C.No.66 of 2016 pending before the learned Judicial Magistrate Court, Othanchatiram Dindigul District.

2.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner brought to the knowledge of this Court that in the prayer, C.C.number was wrongly mentioned as C.C.No. 16 of 2016 instead of C.C.No.66 of 2016. Hence, the same shall be read as C.C.No.66 of 2016.

3.The learned counsel for the petitioner has further represented that already this Court quashed the proceedings in C.C.No.66 of 2016 vide order dated 09.12.2020 made in Crl.O.P.(MD)No.14686 of 2016 and the respondent police was already directed to proceed further as per G.O.Ms.No.752 Forest and Fisheries, dated 23.06.1981, as against the accused persons, in accordance with law. However, in view of the stay



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granted in this petition, the petitioner was unable to proceed with the case as per direction passed by this Court in the earlier order dated 09.12.2020.

4.The learned Government Advocate(Crl.side) appearing for the respondent also admitted the fact that already this Court quashed the proceedings in C.C.No.66 of 2016 and directed the respondent to proceed as per G.O.Ms.No.752 Forest and Fisheries, dated 23.06.1981. Due to stay granted by this Court, the second respondent was not in a position to dispose of the case as against the petitioner herein.

5.In view of the above submissions and considering the fact that already this Court quashed the entire proceedings in C.C.No.66 of 2016 and directed the respondent to proceed as per G.O.Ms.No.752 Forest and Fisheries, dated 23.06.1981 as against the accused persons, this Court need not pass any further orders, since this matter is covered with the order dated 09.12.2020 made in CrI.O.P.(MD)No.14686 of 2016. The petitioner is at liberty to approach the respondent and the respondent has to consider as per order passed by this Court dated 09.12.2020.



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P. DHANABAL,J.

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

17.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

To

- 1.The Judicial Magistrate Court,
Othanchatiram, Dindigul District
- 2.The Forest Range Officer,
Othanchathiram Range Office,
Othanchathiram,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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