



Crl.O.P.(MD)No.12636 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **13.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD)No.12636 of 2023

P.Pandi

... Petitioner

Vs.

1.The State represented by Its
Inspector of Police,
B1, Melur Police Station,
Madurai District
(In Crime No.148 of 2007)

2. The Deputy Collector/District Manager,
Tamilnadu State Marketing
Corporation Ltd., (TASMAC),
Madurai District ... Respondents 1 and 2/Complainants

3.S.Thirumalaisamy ... 3rd Respondent/Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records in C.C.No.259 of 2007 on the file of the Judicial Magistrate Court, Melur and quash the same.

For Petitioner : Mr.S.Raja Mohamed

For R1 & R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



ORDER

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This Criminal Original Petition is filed seeking a direction to quash C.C.No.259 of 2007 on the file of the Judicial Magistrate Court, Melur.

2. It is submitted by the learned counsel for the petitioner that on the basis of a complaint given by the defacto complainant, case has been registered against the petitioner and other accused in Crime No.148 of 2007 on the file of the first respondent police. After completion of investigation, charge sheet is filed against them for the offences punishable under Sections 408, 468, 471 and 477A IPC and the same is taken on file as C.C.No.259 of 2007 on the file of the Judicial Magistrate Court, Melur.

3. It is further submitted by the learned counsel for the petitioner that the petitioner, who is stated to have misappropriated the amount, has given back the entire amount to the respondent No.2 on believing the assurance given by the respondent No.2 that he will reinstate the petitioner back in service. It is also submitted by the learned counsel for the petitioner that compromise has been entered into between the petitioner and the defacto complainant.



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4. On the other hand, the learned Additional Public Prosecutor submits that the entire trial was completed and arguments were also over and the trial court has also posted the matter for judgment on 20.12.2021.

5. It is submitted by the learned counsel for the petitioner that on account of transfer of the concerned Judicial Magistrate, C.C.No.259 of 2007 is again posted for arguments.

5. Considering the fact that the matter is ripe for the judgment, this Court directs the learned Judicial Magistrate Court, Melur, to dispose of C.C.No.259 of 2007 within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, this Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
CM

13.07.2023

Note: Issue order copy on 14.07.2023.



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- To,
1. The Inspector of Police,
Central Crime Branch-II,
Madurai City,
Mounted police (Kuthiraipadai),
Residential Campus,
Opp-Bharathi Store,
Viswanathapuram,
Madurai – 14.
 - 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

CM

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