



CrI.O.P.(MD) No.15702 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.09.2023**

CORAM:

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

CrI.O.P.(MD) No.15702 of 2023

K.Rajarajan

...Petitioner

Vs.

1.The State rep., by
The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur. (Crime No.183 of 2021)

2.Shanmugasundharam

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet in C.C.No.241 of 2021 on the file of the Judicial Magistrate Court, Thiruvaiyaru and quash the same as illegal.

For Petitioner	: Mr.M.Vivek
For R1	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor

ORDER

This petition is filed seeking quashment of C.C.No.241 of 2021 pending on the file of the learned Judicial Magistrate, Thiruvaiyaru for the offences punishable under Sections 294(b), 323, 506(2) and 326 IPC.



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2.Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor for the respondent Police submitted that the prosecution has already examined six witnesses P.W.1 to P.W.6, out of nine witnesses and only the official witnesses have to be examined. The petitioner has also filed a petition to recall the witnesses and the same is pending.

3.In view of the fact that all the prime witnesses have already been examined and the petitioner has also filed an application under Section 311 Cr.P.C., to recall the witnesses, this petition filed at the belated stage cannot be considered. The petitioner should have approached the Court immediately after taking up of the charge sheet on file in the year 2001. Therefore, there are no merits in this petition. Accordingly, this Criminal Original Petition is dismissed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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Yuva



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To

1. The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

Yuva

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