



CrI.O.P.(MD) No.16182 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.16182 of 2023

and

CrI.M.P(MD)No.12888 of 2023

Raja Murrugan K.H.

... Petitioner

Vs.

1.State rep. by

The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
In Cr.No.216/2023.

...1st Respondents/Complainant

2.Charath Chandra Bose

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the C.C.No.196/2017 on the file of the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District and quash the same.

For Petitioner : Mr.Raja Murrugan (Party-in-person)

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



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ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C., seeking quashment of C.C.No.196 of 2017 pending on the file of the Judicial Magistrate No.I, Sivakasi which was registered for the offences under Sections 294(b), 323, 506(i) of IPC.

2.It is submitted by the learned counsel for the petitioner that as a counterblast to this case basing on the complaint filed by the petitioner though FIR was registered, the respondent police has not filed the charge-sheet. It is also submitted that the defacto complainant is trying to grab the property of the petitioner.

3. The learned Additional Public Prosecutor appearing for the first respondent submitted that totally there are 11 witnesses in this case. Out of 11 witnesses, 9 witnesses were already examined and in respect of examination of rest of the witnesses, the matter is posted on 16.10.2023.



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4. Considering the submissions made by both sides, the petitioner if at all really aggrieved by the filing of the charge-sheet should have approach this Court soon after filing of charge-sheet in the year 2017 on whatever ground he wish to challenge. Prosecution has already examined 9 witnesses and is posted for recording of other two witnesses. The petitioner has approached this Court seeking quashment of the charge-sheet belatedly in the fag end of the trial. Therefore, the request of the petitioner cannot be considered and hence, this petition is dismissed. Consequently, connected miscellaneous petition is closed.

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

20.09.2023



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To

- 1.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
- 2.The Judicial Magistrate No.I, Sivakasi,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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