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Crl.O.P.(MD)No.17042 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.12.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.17042 of 2023

and

Crl.M.P(MD) Nos.13534 and 13533 of 2023

Nivethan

... Petitioner/1st Accused

Vs.

1.State by

The Inspector of Police,
DCB,
Karur District.
Crime No.10 of 2021

...1st Respondent/Complainant

2.S.Balakannan

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the Impugned Charge Sheet in C.C.No.93 of 2023 pending on the file of the learned Judicial Magistrate No.II, Kulithalai and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.R.Murali

For R1 :Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

For R2 : Mr.S.Mahendrapathy



ORDER

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This Criminal Original Petition is filed to call for the records pertaining to the Impugned Charge Sheet in C.C.No.93 of 2023 pending on the file of the learned Judicial Magistrate No.II, Kulithalai, and quash the same in so far as the petitioner is concerned.

2. The learned Government Advocate (Crl.Side) would submit that the trial is already commenced and six witnesses were examined so far. But, none of them are cross examined by the accused.

3. Since the trial already commenced and it is under half way, it may not be proper on this Court to entertain this petition, seeking quashment of C.C. On the sole ground, this petition is liable to be dismissed and accordingly dismissed. The petitioner is at liberty to make out his defences, that are available with him, before the concerned trial Court itself.



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4. With the above said liberty, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

01.12.2023

Index : Yes/No
Internet : Yes/No
Indu

To

- 1.The Inspector of Police,
DCB,
Karur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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