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Crl.O.P.No.6052 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.6052 of 2024
& Crl.M.P.Nos.4412 & 4413 of 2024

1. Selvamani.

2. R.Balasubramaniam.

... Petitioner/Accused 1 & 2

/versus/

1. State Represented by its
The Inspector of Police,
District Crime Branch,
Ariyalur District.

... 1st respondent/Complainant

2. Kalaiyaran.

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the charge sheet in C.C.No.19 of 2022 on the file of District Munsif cum Judicial Magistrate, Sendurai, Ariyalur District.

For Petitioner : Mr.C.Mariappan

For R1 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

For R2 : Mr.S.Senthilnathan



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ORDER

A case and counter registered in Crime No.509 & 510 of 2021 been investigated by the respondent Police. On completion of investigation, two final reports have been filed before the District Munsif-cum-Judicial Magistrate, Sendurai.

2. Contending that, without identifying the aggressor, the respondent police has mechanically filed final report in both the case and counter and the same is pending in C.C.Nos.18 and 19 of 2022 before the Learned District Munsif-cum-Judicial Magistrate, Sendurai, the present petition is filed seeking quash of the calendar cases.

3. The Full Bench of this Court, after considering the nuances of improper investigation in case and counter, has laid down the detailed guidelines and procedures in ***T.Balaji and others -vs- The State Rep. by, The Inspector of Police, New Washermenpet Police Station, Chennai*** (Crl.O.P.No.4587 of 2023, dated 08.08.2024)



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4. Accordingly, this Court finds that it is a case of riot between two groups and members of both parties sustained injury and therefore, the matter is to be tried together. Hence, the trial Court is hereby directed to conduct joint trial of both cases and complete the trial within a reasonable time.

5. With this observation, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

03.09.2024

Index : Yes/No.

Neutral Citation : Yes/No.

bsm

To:-

1. The District Munsif cum Judicial Magistrate, Sendurai, Ariyalur District.

2. The Inspector of Police, District Crime Branch,
Ariyalur District.

3. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

bsm

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