



Crl.O.P.No.2447 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.2447 of 2024
and Crl.M.P.Nos.1735 and 1736 of 2024

M.Arif

... Petitioner

Vs.

1.State Rep. by its
The Inspector of Police,
Muthupettai Police Station,
Tiruvarur.
(Crime No.329 of 2005)

2..Mr.Sounderrarajan

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in PRC No.1 of 2022 pending on the file of the Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur and quash the same.

For Petitioner : Mr.I.Abdul Basith

For Respondent : Mr.A.Gopinath
Government Advocate
(CrlSide)



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ORDER

This petition has been filed to quash the proceedings in PRC No.1 of 2022 pending on the file of the learned Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st respondent.

3.The final report was filed originally by the respondent police as against 36 accused persons for offence under Sections 147, 148, 324 of IPC and Section 25(1)(a) of the Arms Act, Section 307 r/w 149 of IPC and Section 3(1) of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992. The case was split up and A1 to A10 faced trial before the learned Chief Judicial Magistrate, Tiruvarur in S.C.No.133 of 2016. The learned Chief Judicial Magistrate, Tiruvarur by judgment dated 02.03.2017 acquitted all the ten accused persons on the ground that the prosecution failed to prove the charges beyond reasonable doubt.



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4.Taking into consideration, the above judgment of the learned Chief Judicial Magistrate, Tiruvarur, the split up case in S.C.No.581 of 2017 as against 11 other accused persons was also quashed by this Court by an order dated 05.08.2019. Similarly, the other split up against two other accused persons in PRC No.4 of 2006 was quashed by this Court in Crl.O.P.No.23802 of 2019 by order dated 21.04.2022.

5.The petitioner is arrayed as A34 and the case against the petitioner is pending in PRC No.1 of 2022. The petitioner is placed on par with the other accused persons who have already been acquitted. In view of the same, no useful purpose will be served in keeping the proceedings pending as against the petitioner.

6. It is brought to the notice of this Court that the case that was split up as against the petitioner was numbered as P.R.C.No.45/2023 before the learned Judicial Magistrate, Thiruthuraipoondi.

7.In the result, proceeding in PRC No.45 of 2023 pending on the



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file of the learned Judicial Magistrate Court, Thiruthuraipoondi,

N.ANAND VENKATESH, J.

sk

Tiruvarur is hereby quashed and accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

08.02.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
SSR

To

- 1.The Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur.
- 2.The Inspector of Police,
Muthupettai Police Station,
Tiruvarur.
- 3.The Public Prosecutor,
High Court, Madras.

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