



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.7408 of 2024
and CRL.M.P Nos.5378 & 5379 of 2024

Irsath Ali

...Petitioner

Vs.

1.State By: The Inspector of Police,
Muthupettai Police Station,
TTP Taluk,
Tiruvarur District.

2.Krishna Kumar
Village Administrative Officer,
Muthupettai,
Thiruthuraipoondi Taluk,
Tiruvarur District.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating in PRC No.36 of 2016 on the file of the Judicial Magistrate Court, Thiruthuraipoondi and quash the same.

For Petitioner : Mr.G.Mohammed Aseef

For Respondent : Mr.A.Gopinath
Government Advocate for R1



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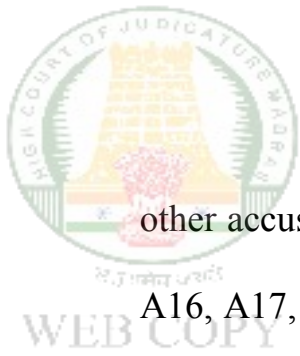
ORDER

This criminal original petition has been filed to quash the proceedings in PRC No.36 of 2016 pending on the file of Judicial Magistrate Court, Thiruthuraipoondi on the ground of parity by taking note of the order passed by this Court in CrI.O.P.Nos.28802 & 28803 of 2017, where the proceedings in SC No.133 of 2015 along with the connected case was quashed on 01.09.2019.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the 1st respondent.

3.The earlier petition that was filed by the petitioner in CrI.O.P.No.10290 of 2021 was dismissed by this Court on 06.10.2023 on the ground that a non-bailable warrant is pending against the petitioner. Pursuant to the above order, the petitioner had approached the Court below and filed an application for recalling the non-bailable warrant and the non-bailable warrant was also recalled by the Court below by an order dated 10.11.2023.

4.In the considered view of this Court, the proceedings in S.C.No.133 of 2015 which pertains to Crime No.315 of 2013 has already been quashed for all the



other accused persons. The case was split up for A6, A8, A9, A10, A13, A14, A15, A16, A17, A19, A20, A23 and A24 and it is pending in PRC No.36 of 2016. The reasons assigned by this Court while quashing the proceedings for the other accused persons will equally apply to the petitioner also. Therefore, the petitioner need not undergo the ordeal of facing the trial in this case.

5.In the light of the above, proceedings in PRC No.36 of 2016 pending on the file of the learned Judicial Magistrate Court, Thiruthuraipoondi, is hereby quashed insofar as the petitioner is concerned.

6.In the result, this criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

26.03.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
ssr

To

1.The Judicial Magistrate Court,
Thiruthuraipoondi.



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N.ANAND VENKATESH, J

SSR

- 2.The Inspector of Police,
Muthupettai Police Station,
TTP Taluk,
Tiruvarur District.
- 3.The Village Administrative Officer,
Muthupettai,
Thiruthuraipoondi Taluk,
Tiruvarur District.
- 4.The Public Prosecutor,
Court, Madras.

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