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CrI.OP.No.7434 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.7434 of 2024

and

CrI.M.P.Nos.5394 & 5395 of 2024

1. Mr.Naina Mohamed,
S/o.Mohamed Fakkir

2. Mr.Akbar,
S/o.Abdul Ajees

... Petitioners

Vs.

1. State rep. by its,
The Inspector of Police,
Muthupettai Police Station,
Tiruvarur.
(Cr.No.315/2013)

2. The Village Administrative Officer,
Muthupettai.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in P.R.C.No.36/2016 pending on the file of the Judicial Magistrate Court, Thiruthuraipoondi, Tiruvarur and quash the same as illegal and without jurisdiction.

For Petitioners

: Mr.K.Nizamuddin



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For Respondents : Mr.A.Gopinath
Government Advocate [Crl.side]

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, Thiruthuraipoondi, Tiruvarur, on the ground of parity by taking note of the order passed by this Court in Crl.O.P.Nos.28802 & 28803 of 2017, where the proceedings in S.C No.133 of 2015 along with the connected case was quashed on 01.09.2019.

2. Heard the learned counsel for the petitioners and the learned Government Advocate appearing on behalf of the respondents.

3. 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 petitioners also. Therefore, the petitioners need not undergo



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the ordeal of facing the trial in this case.

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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, Tiruvarur, is hereby quashed insofar as the petitioner is concerned.

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

27.03.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1. The Inspector of Police,
Muthupettai Police Station,
Tiruvarur.
(Cr.No.315/2013)
2. The Village Administrative Officer,
Muthupettai.
3. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J.

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