



Crl.O.P.No.7518 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:08.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.7518 of 2024

and

Crl.M.P.Nos.5454 & 5455 of 2024

1.K.S.N.Venugopalu
2.Vishnuseenthuran
3.Ram Sabareesh
4.K.S.Selvarathinam
5.T.P.Selvaragura

.. Petitioners

/versus/

1.State by,
The Sub Inspector of Police,
Bungalowpudur Police Station,
Erode District.

2.Mr.Selvagogul

.. Respondents

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records of the case in C.C.No.7 of 2024 on the file of the learned Judicial Magistrate No.1, Gobichettipalayam, Erode District and quash the same as against the petitioners.

For Petitioners :Mr.A.Natarajan,

Senior Counsel for
Mr.C.P.Palanichamy

For R1

:Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

This petition to quash the final report in C.C.No.17 of 2024 on the file of the Judicial Magistrate No.1, Gopichettipalayam.

2. The learned counsel appearing for the petitioner submitted that due to small family dispute, there was an altercation and the case and case in counter has been registered in Crime Nos.310 of 2022 and 311 of 2022 by the respondent police and both the cases have been charge sheeted after completion of investigation.

3. The learned Government Advocate (Crl.Side) submitted that First Information Report in Crime No.311 of 2022 on the file of the Judicial Magistrate No.1, Gopichettipalayam, Erode District, is likely to be transferred to Judicial Magistrate No.1, Erode, since one of the accused is former Member of the Legislative Assembly. Whereas in Crime No.310 of 2022 final report has been taken on file in C.C.No.16 of 2024 on the file of the Judicial Magistrate No.1, Gopichettipalayam. The case and case in counter has to be tried



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together as per the Police Standing Order and the Crimes Ordinance.

Since one of the accused is an MLA in Erode District, the case and case in counter has to be transferred and tried together. Otherwise, this Court finds no other reason to interfere with the process of the trial.

4. Accordingly, this Criminal Original Petition is disposed of. The Judicial Magistrate is directed to transfer the cases in C.C.No.16 of 2024 along with C.C.No.17 of 2024 to the Judicial Magistrate No.1, Erode, for joint trial. All the parties shall raise all the defence before the trial Court. The trial Court without prejudice, shall dispose of the case on merits and in accordance with law. Consequently, connected Miscellaneous Petitions are closed.

08.04.2024

Index:yes/no
Neutral Citation:yes/no
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To:

- 1.The Judicial Magistrate No.1, Gobichettipalayam, Erode District.
- 2.The Sub Inspector of Police, Bungalowpudur Police Station,
Erode District.



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DR.G.JAYACHANDRAN,J.

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