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CrI.O.P.No.31533 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.31533 of 2024

N.Subash

... Petitioner

Vs.

1.The State Rep. by
The Sub Inspector of Police,
Puduchathiram Police station,
Cuddalore District.

2.Moorthy

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, to call for the records relating to the charge sheet in P.R.C.No.4 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Portonova, Cuddalore and quash the same.

For Petitioner : Mr.Vijay Ganesh

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor
for R1

ORDER

Heard the learned counsel on either side and perused the materials available on record.



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2. This criminal original petition has been filed to quash the charge sheet in P.R.C.No.4 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Portonova, Cuddalore.

3. A case was registered against the petitioner and other accused in Crime No.2 of 2015 for the alleged offences under Sections 147, 148, 294(b), 323, 324, 336, 447, 427, 506(ii) IPC read with Section 3 of the PPD Act, based on a complaint filed by the de facto complainant. Since the petitioner was absconding, after the investigation, a charge sheet was laid before the learned Jurisdictional Magistrate. The matter was kept under the PRC stage for a prolonged period. Subsequently, since the petitioner failed to appear and complete the PRC proceedings, the case was split and committed to the Court of Sessions. The learned Sessions Court has taken the case on file in S.C.No.137 of 2017. Since the petitioner had absconded during the PRC stage, and the case was split up and transferred, now petitioner now seeks to quash the proceedings at the PRC stage.

4. A careful perusal of the records reveals that the petitioner has shown a lack of cooperation throughout the process and has now approached this Court only at this stage. Hence, the petitioner is not entitled to any relief. The learned Magistrate is, therefore, directed to proceed with the PRC



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proceedings without delay and commit the case to the Court of Sessions for trial. However, liberty is given to the petitioner to work out his remedy in the manner known to law.

5. Accordingly, this criminal original petition is dismissed.

17.12.2024

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No

r n s

To

1. The District Munsif cum Judicial Magistrate,
Portonova, Cuddalore.
2. The Sub Inspector of Police,
Puduchathiram Police station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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