



CRL.O.P (MD) No.8577 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.8577 of 2024

and

CRL.O.P.(MD) Nos.5884 and 5885 of 2024

1. A.Murugaraj,

2. Justin Abraham,

3. Siva Sankar

... Petitioners

Vs

1. State rep. by
The Inspector of Police,
District Crime Branch(ALGSC),
Thanjavur District.

2. Valarmathi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the CC No. 14 of 2020 pending on the file of the Judicial Magistrate Court, Thiruvaiyaru, Pending disposal and quash the same as against the petitioners.



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For Petitioners : Mr. Senthil.M.P
For R-1 : Mr.P.Kottai Chamy
Government Advocate (Crl. side)

ORDER

The petitioners have filed this petition, seeking to quash the proceedings in CC.No.14 of 2020 on the file of the learned Judicial Magistrate, Thiruvaiyaru.

2. The learned Counsel for the petitioners submits that there is a civil dispute pending between the petitioners and the defacto complainant. Based on the complaint of the defacto complainant, a case has been registered in Crime No.29 of 2015 for the offence under Sections 120(b), 384, 420, 465 and 468 of IPC as against the petitioners and other accused persons. Further, he submitted that the occurrence had taken place in the year 2008 for which a complaint has been lodged in the year 2015. However, the respondent Police without ascertaining that the



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complaint is civil in nature, has mechanically filed a final report and the same was taken on file by the learned Judicial Magistrate, Thiruvaiyaru.

3. The learned Government Advocate (Crl. Side) appearing for the respondent police submits that the final report was filed in the year 2020. P.W.1 to P.W.3 were already examined and the case is posted on 02.07.2024 for the examination of P.W.4 and P.W.5. Further, he submits that the Police Officer present before this Court undertakes that he will produce the witnesses before the trial Court on the next date of hearing.

4. This Court considered the rival submissions made.

5. The final report was filed in the year 2020 and three witnesses were already examined. At this stage, this Court is not inclined to quash the proceedings based on the grounds raised by the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioners to raise all these grounds before the trial Court, during the trial and the learned Judicial Magistrate, Thiruvaiyaru, shall



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conclude the trial as expeditiously as possible within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

02.07.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No

jbr

To

1. The Inspector of Police,
District Crime Branch(ALGSC),
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

jbr

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