



CrI.O.P.(MD)No.9732 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.9732 of 2024

and

CrI.M.P.(MD)Nos.6649 and 6650 of 2024

Saravanakumar

... Petitioner

versus

1. State rep. by
The Inspector of Police,
Ammapatti Police Station,
Virudhunagar District.

2. Chellaiyaraja

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings in S.C.No.102 of 2023 pending on the file of the learned Subordinate and Assistant Sessions Judge, Sattur, Virudhunagar District and quash the same.

For Petitioner : Mr.P.Saravnakumar

For R1 : Mr.M.Sakthi Kumar,
Government Advocate (CrI. side)



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ORDER

The petitioner is the accused in S.C.No.102 of 2023 on the file of the learned Subordinate and Assistant Sessions Judge, Sattur, Virudhunagar District, for the offence punishable under Sections 147 and 212 IPC. He has filed this petition seeking to quash the proceedings in S.C.No.102 of 2023 pending against him.

2. The learned counsel appearing for the petitioner submits that the petitioner is an auto driver and he has been charged for the offence under Sections 147 and 212 IPC that he has harboured the accused persons. According to him, the petitioner, without the knowledge of offence, has taken the accused persons in his auto rickshaw. The petitioner has also raised several grounds in support of his petition.

3. The learned Government Advocate (Crl. Side) submits that the petitioner is a driver of the auto rickshaw, which belongs to A1. The petitioner was also present in the scene of occurrence and he only took all the accused persons in the auto rickshaw from the place of



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occurrence. Therefore, the petitioner has been arrayed as accused No.6.

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4. Though the petitioner has raised several grounds in this petition, they can be appreciated only during the trial. Therefore, this Court is not inclined to entertain this petition at this stage.

5. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all these ground before the trial Court during the trial. Consequently, connected miscellaneous petitions are closed.

03.07.2024

Index : Yes / No.

Internet: Yes / No.

NCC : Yes/No.

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To

1. The Subordinate and Assistant Sessions Judge,
Sattur, Virudhunagar District.

2. The Inspector of Police,
Ammapatti Police Station,
Virudhunagar District.



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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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