



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.04.2015
CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

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CRL.O.P. (MD)No.22446 of 2014

and M.P. (MD) Nos.1 & 2 of 2014 and 1 of 2015

1.Jagadeeswaran
2.Kanagarathinam .. Petitioners/Respondents

.. Vs ..

Shanmugapriya ..Respondent/Complainant

PRAYER: Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to call for the records pertaining to the M.C.No.133 of 2014 pending on the file of the learned Judicial Magistrate No.I, Thoothukudi and quash the proceedings herein and pass such further or other orders as this Court may deem fit and proper in circumstances of the case.

For Petitioners : Mr.K.K.Senthil Velan

For Respondent : Mr.RM.Arun Swaminathan

ORDER

Initially, the petitioners prayed for quashment of the proceedings in M.C.No.133 of 2014. Seeking to amend the prayer by way of challenging the interim order passed by the learned Judicial Magistrate No.I, Thoothukudi, in Crl. M.P.No.4850 of 2014 dated 24.09.2014 in M.C.No.133 of 2014, M.P.No.1 of 2015 has been filed.

2.Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent.

3.Though the learned counsel for the petitioners tried to make submissions on merits, this court is not inclined to go into the same.



4.The petitioners, instead of going through with the conduct of the case or filing an appeal to challenge the interim order, approached this Court by invoking extraordinary jurisdiction under Section 482 of Cr.P.C. and filed this petition.

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5.When this Court expressed this view, the learned counsel for the petitioners submitted that liberty may be given to challenge the interim order by filing an appeal and time limit may be given for the same.

6.This petition is dismissed. Consequently, connected M.P.s are closed. However, if an appeal is filed, the lower court is directed to take into consideration Section 14 of the Limitation Act.

Sd/-
Assistant Registrar

\\True copy\\

Sub Assistant Registrar

To

The Judicial Magistrate No.I, Thoothukudi

+1cc TO M/S.K.K.SENTHILVELAN, ADVOCATE SR.NO.23595

+1cc TO M/S.R.M.ARUN SWAMINATHAN, ADVOCATE SR.NO.23545

CRL.O.P. (MD) No.22446 of 2014

and M.P. (MD) Nos.1&2/2014, 1/2015

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