



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.04.2015

CORAM

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

CRL.O.P. (MD) No.6624 of 2015

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

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Mangayarkarasi

.. Petitioner

.. Vs ..

Banumathi

.. Respondent

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to call for the records in M.C.No.3 of 2015 on the file of the District Munsif cum Judicial Magistrate, Thirupathur and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.M.Subash Babu

O R D E R

The petitioner seeks to quash the proceedings in M.C.No.3 of 2015 on the file of the District Munsif cum Judicial Magistrate, Thirupathur.

2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. The only point raised by the learned counsel for the petitioner is that suppressing the earlier proceedings, the present proceedings have been initiated and there is no bonafide in the petition filed by the defacto complainant and therefore, the proceedings will have to be set aside.

4. This Court is not inclined to accept the submission made by the learned counsel for the petitioner as mere pendency of other proceedings cannot be a bar. Even otherwise, it is a matter to be decided by the Court below. Therefore, this Criminal Original Petition stands dismissed. Consequently, connected M.P.(MD) Nos.1 & 2 of 2015 are also closed. However, all the issues are left open to be raised before the Court below. Considering the submission made, personal appearance of the petitioner before the Court below is dispensed with until and unless the same is required. The learned District Munsif cum Judicial Magistrate, Thirupathur, is directed to dispose of M.C.No.3 of 2015, within a period of four months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(Crl.Side)



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The District Munsif cum
Judicial Magistrate, Thirupathur.

+1cc to Mr. M. Subash Babu, Advocate Sr.No. 20012

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**CRL.O.P. (MD) No. 6581 of 2015
and M.P. (MD) Nos. 1 & 2 of 2015**

17.04.2015