



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2015

CORAM

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

CRL.O.P. (MD) Nos.6418 & 6419 of 2013

and

M.P. (MD) .Nos.1 , 1 , 2 & 2 of 2013

In Crl.O.P. (MD) No.6418 of 2013:

- 1.Pothumani
- 2.Sadayan @ Chinnasamy
- 3.Sivaraman
- 4.Jeeva
- 5.Magamayee
- 6.Jeyakumar
- 7.Sasi

...Petitioners/Accused Nos.1 to 7

Vs.

- 1.The State rep. by Sub-Inspector of Police,
Bodinaickanur Police Station,
Bodinaickanur, Theni.
(Crime No.597/2012) ... 1st Respondent/Complainant

- 2.P.Hariram ... 2nd Respondent/Defacto complainant

In Crl.O.P. (MD) No.6419 of 2013:

- 1.Pothumani
- 2.Sivaraman
- 3.S.Jeeva
- 4.Magamayee
- 5.P.Muthukrishnan ... Petitioners/Accused Nos.1 to 5

Vs.

- 1.The State rep. by Sub Inspector of Police,
Bodinaickanur Police Station,
Bodinaickanur, Theni. ... 1st Respondent/Complainant

- 2.H.Chandra ... 2nd Respondent/Defacto complainant

Common Prayer : Criminal Original Petitions filed under section 482 of the Code of Criminal Procedure, praying to call for the records relating to the impugned charge sheet in C.C.No.18 of 2013 and C.C.No.19 of 2013 on the file of the District Munsif-cum-Judicial Magistrate, Bodinaickanur dated 23.01.2013 and quash the same as illegal.



For Petitioners
in both cases

: Mr.K.Appadurai

For Respondent-1
in both cases

: Mr.K.Anbarasan
Government Advocate (Crl. Side)

WEB COPY

COMMON ORDER

Seeking to quash the impugned charge sheet in C.C.No.18 of 2013 and C.C.No.19 of 2013 on the file of the District Munsif-cum-Judicial Magistrate, Bodinayakanur dated 23.01.2013, the present petitions have been filed.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the first respondent in both cases and perused the records.

3. The only contention raised by the learned counsel for the petitioner is that the complaints given are vexatious and the suits filed by the second respondent in both cases were dismissed. This court is not willing to quash the proceedings only on that basis. It is to be looked into by the trial court.

4. Accordingly, these Criminal Original Petitions are dismissed. Consequently, connected Miscellaneous Petitions are closed. However, all the issues are left open to be raised before the Court below. Considering the submission made, personal appearance of the petitioners before the Court below is dispensed with until and unless the same is required. The learned District Munsif-cum-Judicial Magistrate, Bodinaikanur is directed to dispose of C.C.No.18 of 2013 and C.C.No.19 of 2013 within a period of nine months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The District Munsif-cum-Judicial Magistrate,
Bodinaikanur, Theni District.

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

+1cc to MR.K.Appadurai, Advocate Sr.NO.36689

pjl

AA/16.07.2015/2p- 4c/

CRL.O.P. (MD) Nos.6418 & 6419 of 2013
and

M.P. (MD) .Nos.1 ,1 , 2 & 2 of 2013

07.07.2015