



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.16254 of 2016

Karthick @ Jothimani @ Jothi .. Petitioner/ Accused

-Vs-

1.State represented by  
The Inspector of Police,  
Vellisandhai Police Station,  
Kanyakumari District.  
(Crime No.290/2014) ... Respondent /Complainant

2.Murugan ... Respondent /Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for records in C.C.No.4 of 2015 on the file of the Judicial Magistrate, Eraniel and quash the charge sheet dated 12.01.2015.

For Petitioner : Mr.R.Ramachandran  
For Respondents : Mr.K.Anbarasan  
Govt. Advocate (Crl.Side) for R.1

O R D E R

The petitioner, who is the sole accused in C.C.No.4 of 2015, on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District, has filed this petition to quash the charge sheet.

2. This petition is filed to quash the complaint on the ground that there is a delay in despatching the F.I.R. to the court and the statements of the witnesses have been recorded under Section 161(3) Cr.P.C. and the confession statement of witnesses were sent on 28.10.2014, which shows that all the documents were created by the respondent.

3. The learned Government Advocate (Crl.Side) would submit that the petitioner is a habitual offender and he has involved in 7 previous cases and out of 7 cases, he is involved in four cases for the offences under Section 457 and 380 I.P.C.

<https://hcservices.ecourts.gov.in/hcservices/> both sides and perused the materials available on record.



5. Considering the facts and circumstances of the case, I do not find any ground to quash the charge sheet and the defence of the petitioner has to be decided only after the trial. Therefore, this Criminal Original Petition is dismissed.

Sd/

Assistant Registrar(CS-I)

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/True Copy/

Sub Assistant Registrar.

To:

1. The Judicial Magistrate, Eraniel.
2. The Inspector of Police,  
Vellisandhai Police Station,  
Kanyakumari District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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