



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.12.2016

CORAM:

The Honourable Mr. JUSTICE G.CHOCKALINGAM

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CRL.O.P(MD)No.21635 of 2016andCRL.M.P(MD)No.11117 & 11118 of 2016

Kanagarathinam

.. Petitioner/Sole Accused

vs.

1.State rep. by

The Inspector of Police,
Thiruthangal Police Station,
Thiruthangal,
Viruhdunagar.

..1st Respondent/Complainant

2.Pandimeena

.. 2nd Respondent/Defacto
Complainant

PRAYER: This petition is filed under Section 482 of Code of Criminal Procedure to call for the records in S.T.C.No.1265 of 2016 on the file of the learned Judicial Magistrate, Sivakasi and quash the same as against the petitioner herein.

For Petitioner	: Mr.P.T.Ramesh Raja
For R-1	: Mr.A.P.Balasubramani
	Govt. Advocate (Crl. Side).
For R2	: Mr.R.Raja Mohan

O R D E R

The petitioner has filed this Criminal Original Petition to quash the charge sheet in S.T.C.No.1265 of 2016 on the file of the learned Judicial Magistrate, Sivakasi.

2. The learned counsel for the petitioner submitted that there is a delay in filing the F.I.R., and the petitioner is no way connected with the offence and hence, the charge sheet pending against the petitioner may be quashed.

3. Heard the submissions made on either side and perused the materials available on record.

4. A bare reading of the 161(3) Cr.P.C statement of the defacto complainant reveals that so many ingredients have been made against the petitioner for the offence under Sections 294(b), 323, 506(i) of I.P.C and further, the delay in filing the F.I.R as alleged by the petitioner is not a ground to quash the charge



sheet pending against the petitioner and therefore, this Court is not inclined to quash the charge sheet pending against the petitioner in S.T.C.No.1265 of 2016 on the file of the learned Judicial Magistrate, Sivakasi.

5. In the result, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate,
Sivakasi.
- 2.The Inspector of Police,
Thiruthangal Police Station,
Thiruthangal,
Viruhdunagar.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.T.Rameshraj,Advocate Sr.No.81947
+1cc to Mr.R.Rajamohan,Advocate Sr.No.82005

CRL.O.P (MD) No.21635 of 2016
20.12.2016

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