



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.02.2016

CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH
Cr1.OP(MD) No.2165 of 2016

WEB COPY
Dharmar

... Petitioner

Vs

The Sub Inspector of Police,
Erode Police Station,
Dindigul District.
(Crime No.65 of 2015)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to set aside the order of the learned Judicial Magistrate, Vendasandhur in unnumbered Cr.M.P.No. of 2016 dated 01.02.2016 and consequently direct the learned Judicial Magistrate, Vendasandhur, to accept the Sureties of the petitioner imposed in Cr.M.P.No.1780 of 2015.

For Petitioner :Mr.R. Venkatesan

For Respondents :Mr.C.Mayilvahana Rajendran,
Additional Public Prosecutor

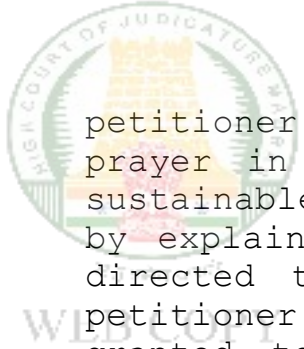
ORDER

Seeking a direction to set aside the order of the learned Judicial Magistrate, Vendasandhur, in an unnumbered petition dated 01.02.2016 and for a consequential direction to the learned Judicial Magistrate, Vendasandhur, to accept the Sureties of the petitioner imposed in Cr.M.P.No.1780 of 2015, the petitioner has come up with this petition.

2. I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen that the petitioner had submitted an application for acceptance of sureties before the learned Judicial Magistrate, Vendasandhur and the learned Magistrate has returned the papers, with the query, "How can be this petition is maintainable". Challenging the said return, the petitioner has filed this set aside application.

4. In the considered opinion of this Court, the learned Judicial Magistrate, Vendasandhur has not passed any order and instead, the learned Magistrate has returned the papers asking the



petitioner to explain how the petition is maintainable. Hence, the prayer in this petition, under Section 482 of Cr.P.C., is not sustainable. It is open to the petitioner to represent the papers by explaining how the petition is maintainable. The Registry is directed to return the papers to the learned counsel for the petitioner and after the receipt of the same, two weeks time is granted to the petitioner to represent the papers before the learned Judicial Magistrate, Veda sandhur.

With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar(CO-DEPT)

/True copy/

Sub Assistant Registrar

pmu/RR

To

1. The Judicial Magistrate, Veda sandhur.
2. The Sub Inspector of Police,
Erode Police Station, Dindigul District.
3. The Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to: The Section Officer,
ER Section,
Madurai Bench of Madras High Court, Madurai.

+one cc to Mr.R.Venkatesan, Advocate in SR.No.9076

CSL/SKS-RR/25.02.2016/2p/6c

Order made in
Cr1.O.P. (MD) No.2165 of 2016
Dated:-12.02.2016