



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP(MD) No.5828 of 2016

and

Crl.M.P. (MD) Nos.2887 and 2888 of 2016

1.Arulraja @ Arulraj
2.A.Richard Gnanaiah

..Petitioners 1 and 2/
Accused Nos.1 and 2

Vs

1.The State represented by
The Sub-Inspector of Police,
Thisayanvillai Police Station,
Radhapuram Taluk, Tirunelveli(Dt).

.. Respondent No.1/Complainant

2.Sudhakar Mickel

.. Respondent No.2 /Defacto complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.207 of 2015 on the file of the Judicial Magistrate at Nanguneri in Crime No.310 of 2014 on the file of the first respondent police and quash the same.

For Petitioners :Mr.V.Muthuvelan
For Respondents :Mrs.S.Prabha
Government Advocate (Crl.Side)
for R.1

O R D E R

This petition has been filed to call for the records in C.C.No.207 of 2015 on the file of the Judicial Magistrate at Nanguneri in Crime No.310 of 2014 on the file of the first respondent police and quash the same.

2. Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. On a reading of the charge sheet, it is seen that this petitioner herein had attacked the defacto complainant on 16.10.2014 on account of which the defacto complainant suffered simple injury. Under such circumstances, when the prima facie material for the trial Court to proceed with the trial, this is not a fit case to quash the proceedings. Hence, this Criminal Original Petition is dismissed with liberty to the petitioners to raise all the points before the trial Court. Consequently, the connected Miscellaneous Petitions are also dismissed.

4. The trial Court is directed to complete the trial within a period of six months from the date of receipt of a copy of this order, provided the petitioners/accused co-operate in the trial by engaging a Counsel and cross-examine the prosecution witnesses as and when they are examined in chief as held by the Honourable Supreme Court in **Vinod Kumar Vs. State of Punjab**, reported in **2015 (1) MLJ 288(SC)**.

Sd/-

Assistant Registrar()

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

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To

1. The Judicial Magistrate, Nanguneri.

2. The Sub-Inspector of Police,
Thisayanvillai Police Station,
Radhapuram Taluk, Tirunelveli(Dt).

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

+1 cc to Mr.V.Muthuvelan, Advocate, SR No.19737

RG.JGB-DP/ 13.04.2016 2P.5C

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and
Cr1.M.P.(MD)Nos.2887 and 2888 of 2016
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