



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA

Cr1.O.P.(MD) No.5928 of 2016

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1.Geethakumari

2.Sreekumaran Nair

...Petitioners

-vs-

1.The Inspector of Police,
Kuzhithurai All Women Police Station,
Kanyakumari District.

2.Nisha

...Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in C.C.No.294 of 2009 from the file of the Judicial Magistrate No.1, Kuzhithurai and quash the same.

For Petitioner

: Mr.S.C.Herold Singh

For R - 1

: Mr.A.P.Balasubramani

Govt.Advocate (Cr1.Side)

O R D E R

This Petition has been filed seeking to quash the proceedings in C.C.No.294 of 2009, pending on the file of the Judicial Magistrate No.1, Kuzhithurai.

2.The learned counsel appearing for the petitioner would submit that because of pendency of this case, the first petitioner is not able to get retirement benefits.

3.It is seen that the petitioners are stated to be the in-laws of the second respondent/defacto complainant. Even though the petition for quashment of charges cannot be decided at this stage, considering the relationship between the parties and considering the difficulties expressed by the petitioners and also considering the long pendency of the case, the Judicial Magistrate No.1, Kuzhithurai is directed to dispose of C.C.No.294 of 2009, within a period of two months from the date of receipt of a copy of this order. However, it is made clear that except on occasions, where personal appearance of the petitioners is indispensable, the trial Court is directed to be lenient in condoning their appearance



4. With the above direction, this Criminal Original Petition is disposed of. Consequently, Crl.M.P(MD)Nos.2923 and 2924 of 2016 are closed.

Sd/-

Assistant Registrar (W)

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/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.1, Kuzhithurai

2. The Inspector of Police,
Kuzhithurai All Women Police Station,
Kanyakumari District.

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

+1cc to M/s.S.C.Herold Singh, Advocate SR.No.47172

Crl.O.P.(MD)No.5928 of 2016

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SD/DB/02.09.2016/2P/5C