

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.5964 of 2011

1.Mathi @ Mathiyazhagan
2.Sivakumar

... Petitioners/Accused

Vs

State, rep by
The Inspector of Police,
T.R.Pattinam Police Station,
Karaikal, Puducherry State.
(Crime No.86 of 2010)

... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent, the State, represented by the Inspector of Police, T.R.Pattinam Police Station, Karaikal, Puducherry State, to call for the records in C.C.No.5 of 2001 on the file of the Judicial Magistrate No.II, Karaikal and to quash the same.

For Petitioners: Mr.R.Sankarasubbu

For respondent : M.R.Thangavel (Pondy)
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed seeking to call for the records in C.C.No.5 of 2001 on the file of the Judicial Magistrate No.II, Karaikal and to quash the same.

2. Today, when the matter was taken up for consideration, learned Additional Public Prosecutor submitted that the dispute between the parties is nothing but a civil dispute and the same can be testified before the competent Civil Court to prove their title in respect of the property.

3. In view of the submissions made by the learned Additional Public Prosecutor, the charges in C.C.No.5 of 2001 on the file of the Judicial Magistrate No.II, Karaikal is hereby quashed. It is open to the petitioner as well as the parties to prove their civil right before the competent Civil Court.

4. This criminal original petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

smi

To

1.The Judicial Magistrate No.II,
Karaikal.

2.The Inspector of Police,
T.R.Pattinam Police Station,
Karaikal, Puducherry State.

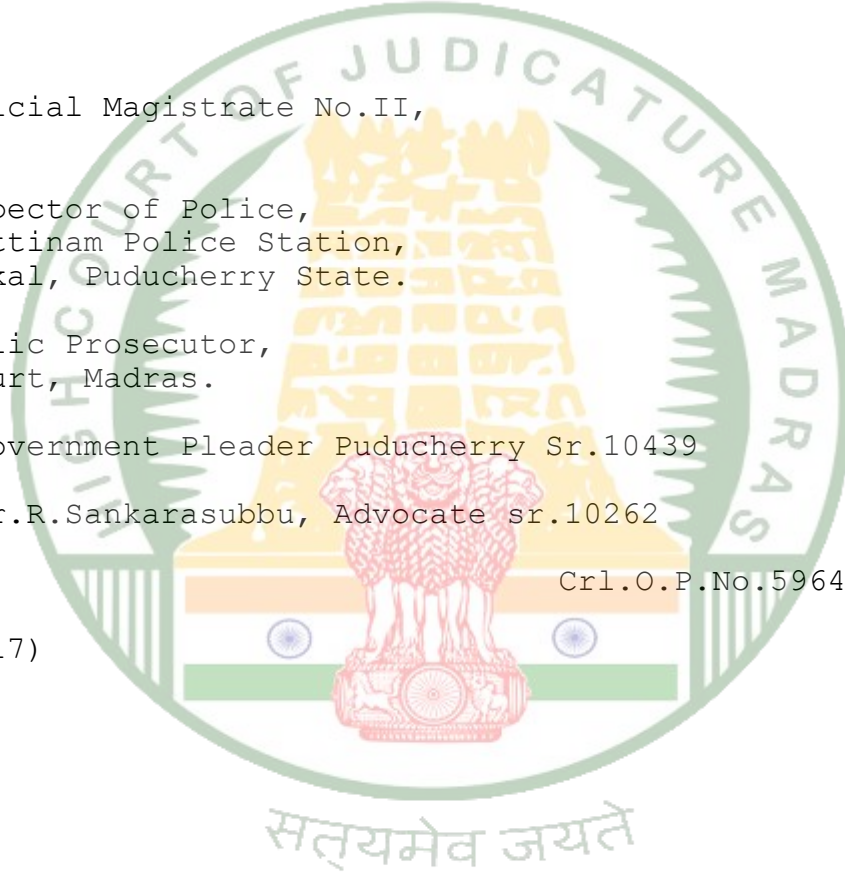
3.The Public Prosecutor,
High Court, Madras.

+1cc to Government Pleader Puducherry Sr.10439

+1cc to Mr.R.Sankarasubbu, Advocate sr.10262

Cr1.O.P.No.5964 of 2011

msm(co)
ss(2/3/2017)



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