



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD) No.13264 of 2017

and

CRL.M.P.(MD) Nos.8986 and 8986 of 2017

Jatin Nem Chand Gada : Petitioner / Accused No.1

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai City.

:1st Respondent / Complainant

2.Mital K.Lal

:2nd Respondent / De-facto
Complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the charge sheet in C.C.No.22 of 2014 pending disposal on the file of the Judicial Magistrate Additional Mahila Court, Madurai.

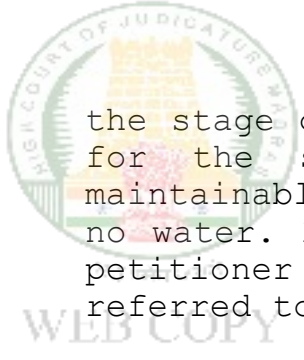
For Petitioner : No Appearance
For R1 : Mr.K.S.Durai Pandian
Additional Public Prosecutor
For R2 : Mr.S.Ravi

ORDER

The Criminal Original Petition is filed to quash the charge sheet in C.C.No.22 of 2014 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai.

2.There was no representation for the petitioner earlier and as the Counsel for the petitioner is practicing in the Principal Bench of this Court, Registry was directed to issue notice to Mr.Jermiah, Counsel for the petitioner and post the matter after three weeks.

3.The Registry has also sent notice to the Counsel for the petitioner. The learned Counsel appearing for the second respondent, stated that the same petitioner has filed a petition earlier in Crl.O.P.(MD)No.22206 of 2003 to quash the First Information Report in Crime No.12 of 2003 on the file of the first respondent. The said petition was dismissed giving liberty to the petitioner to raise all the defence available to the petitioner at the time of trial or at



the stage of framing charges. The submission of the learned Counsel for the second respondent that the present petition is not maintainable, in view of the decision in the earlier petition holds no water. However, the fact that the earlier petition filed by the petitioner along with other accused was dismissed on merits, was not referred to in this petition filed by the petitioner.

4.Considering the fact that the Counsel for the petitioner has not appeared even today, despite notice by this Court, this Court has no other option, but to dismiss this petition. Accordingly, the Criminal Original Petition is dismissed for non prosecution. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1.The Judicial Magistrate Additional Mahila Court,
Madurai.

2.The Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai City.

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

+One cc to Mr.S.Ravi, Advocate, SR.No.88787

+One cc to Mr.G.Jermiah, Advocate, SR.No.88382

cmr
RL/6C/2P/KK/SAR2/4/12/2017

Cr1.OP.(MD) No.13264 of 2017

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