

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.10.2017

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI**Cr1.O.P. (MD)No.357 of 2011****and****M.P. (MD)Nos.1 and 2 of 2011**

1. Rathinavel,
Inspector of Police,
Cuddalore Police Station,
Cuddalore District.

2. Murugesan,
Constable (Retd.),
Sivagiri Police Station,
Sankarankovil Taluk.

3. Chellappa,
Constable,
Kadaiyam Police Station,
Tenkasi Taluk.

... Petitioners

Vs.

Arumugam

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to P.R.C.No.4 of 2005 on the file of the Chief Judicial Magistrate Court, Tirunelveli, and quash the order of taking cognizance of the complaint, dated 21.08.2005, filed by the respondent herein, for the offences under Sections 448, 379 and 406 read with Sections 109 and 323 I.P.C. and Section 7(1)(d) of P.C.R. Act., against the petitioners herein.

For Petitioners : Mr.S.Palanivelayutham

For Respondent : Mr.Pinaygash
for Mr.T.Lajapathi Roy

O R D E R

This Criminal Original Petition has been filed to quash P.R.C.No.4 of 2005 on the file of the Chief Judicial Magistrate Court, Tirunelveli District.



2. Though the learned counsel for the petitioners raised several grounds for quashing P.R.C.No.4 of 2005, however, he seeks permission of this Court to permit the petitioners to raise all the grounds raised in this petition before the trial Court and also to dispense with the personal appearance of the petitioners in P.R.C.No.4 of 2005 on the file of the Chief Judicial Magistrate Court, Tirunelveli.

3. I have heard the learned counsel for the respondent.

4. Considering the limited request made by the learned counsel for the petitioners, this Criminal Original Petition is dismissed with liberty to the petitioners to raise all the grounds raised in this petition before the trial Court and the personal appearance of the petitioners is dispensed with unless the learned Magistrate feels that their presence is required for disposal of the case. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

The Chief Judicial Magistrate,
Tirunelveli District.

Copy to:

The Section Officer,
Criminal Side Records,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.S.PALANI VELAYUTHAM, Advocate SR.No.83780.

Cr1.O.P. (MD) No.357 of 2011
25.10.2017

smn2
SDS/SV:MMS/SAR 1/03.11.2017/2P/4C