



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.(MD).No.10387 of 2014
and
M.P.(MD) Nos.1 and 2 of 2014

1.Natarajan
2.Sellapappu

...Petitioners/Accused Nos.1 & 2

Vs.

1.State represented by
The Inspector of Police
Uppiliapuram Police Station
Turaiyur Taluk
Trichy District

....Respondent/Complainant

2.Dhanapal

..Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to C.C.No.8 of 2014 on the file of the Judicial Magistrate, Turaiyur and quash the same.

For Petitioners : Mr.N.Mohan

For R1 : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

This quash petition is filed to call for the records relating to C.C.No.8 of 2014 on the file of the Judicial Magistrate, Turaiyur and quash the same.

2.The learned Additional Public Prosecutor appearing for the first respondent submitted that the trial has been commenced in this case.

3.It is seen from the records that there is an incriminating material to attract the charges as against the petiitoners. Therefore, this Court finds that there is no merit in the petition to quash the case in C.C.No.8 of 2014. Hence, this Court is of the view that the grounds raised in the petition have to be gone into in a full fledged trial. Moreover, as submitted by the learned counsel for the petitioner, in this case, trial has been commenced.



Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.

4. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petitions are also dismissed. However, the petitioner is at liberty to raise all the grounds before the trial Court. The personal appearance of the petitioners before the trial Court is dispensed with, except the dates of hearing, on which, the learned Judicial Magistrate insisted upon the petitioners to appear before the Court.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Judicial Magistrate, Thuraiyur.

2. The Inspector of Police
Uppiliapuram Police Station
Turaiyur Taluk
Trichy District

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

MSA

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