



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 19.09.2018
CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WEB COPY

Cr1.O.P. (MD) .No.10537 of 2014
and
M.P. (MD) No.1 of 2014

P.GunasekaranPetitioner/Accused No.4

Vs.

1.State represented by
The Inspector of Police
Pasupathipalayam Police Station
Karur District1st Respondent/Complainant

2.Kunjammal ...2nd Respondent/Defacto
Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.34 of 2014 on the file of the Judicial Magistrate No.I, Karur and quash the same as illegal in respect of the petitioner/Accused No.4 only.

For Petitioner : Mr.P.Santhana Krishnan

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

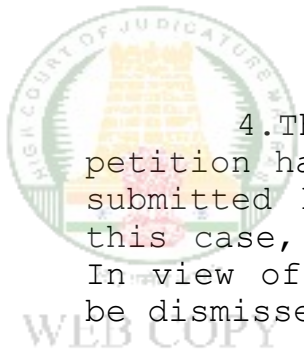
For R2 : E.K.Kumaresan

ORDER

This criminal original petition is filed to call for the records in C.C.No.34 of 2014 on the file of the Judicial Magistrate No.I, Karur and quash the same as illegal in respect of the petitioner/Accused No.4 only.

2.The learned Additional Public Prosecutor would submit that in this case, the trial has been commenced and P.Ws.1 to 8 were examined as prosecution witnesses.

3.Heard the learned counsel appearing for the petitioner and the second respondent.



4. 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 Additional Public Prosecutor, in this case, trial has been commenced and P.Ws 1 to 8 were examined. In view of the above, this criminal original petition is liable to be dismissed.

5. Considering the year of the C.C.No.34 of 2014, the Judicial Magistrate No.I, Karur is directed to complete the entire trial proceedings within a period of three months from the date of receipt of a copy of this order. The personal appearance of the petitioner before the trial Court is dispensed with, except the dates of hearing, on which, the learned Judicial Magistrate insisted upon the petitioner to appear before the Court.

6. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed. However, the petitioner is at liberty to raise all the grounds before the trial Court.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Judicial Magistrate No.I, Karur.

2. The Inspector of Police
Pasupathipalayam Police Station
Karur District.

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

+1CC to E.K.Kumaresan, Advocate, SR.No.86182

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MSA
ES/SKN/RSK/SAR 4/12.10.2018/2P/5C