



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.11895 of 2014

and

M.P. (MD) Nos.1 and 2 of 2014

1.Mariammal
2.Krishnan
3.Kannan

..Petitioners/Accused No.1 to 3

Vs.

1.State represented by
The Sub Inspector of Police,
Mallankinaru Police Station,
Virudhunagar District
in Crime No.303 of 2013

..1st Respondent/Complainant

2.Mrs.Mutharasi

..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.126 of 2014 on the file of the Judicial Magistrate No.I, Virudhunagar and to quash the same as illegal, violation of principles of law.

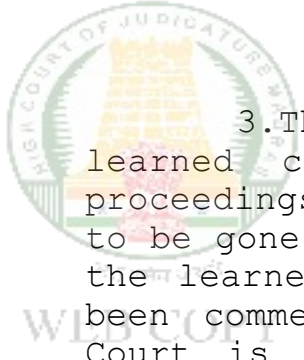
For Petitioner : Mr.G.Marimuthu

For Respondents: Mr.K.Dinesh Babu, APP for R1
No Appearance for R2

ORDER

This quash petition is filed to quash the criminal proceedings in C.C.No.126 of 2014 on the file of the Judicial Magistrate No.I, Virudhunagar against the petitioners.

2.The learned Additional Public Prosecutor would submit that in this case, the trial has been commenced and P.W.1 to 5 were examined as prosecution witnesses and the case is posted for hearing on 01.10.2018.



3.This Court find no merits in the grounds raised by the learned counsel for the petitioners to quash the criminal proceedings against them. 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 and P.W.1 to 5 were examined. 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 petition is also dismissed. However, the personal appearance of the petitioners before the trial Court is dispensed with, except the dates of hearing, on which, the learned trial Judicial Magistrate insisted upon the petitioners to appear before the Court. Further, the learned Judicial Magistrate No.1, Virudhunagar is directed to dispose of the case, within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (cs-II)

// True Copy //

Sub Assistant Registrar(CS-IV)

To

- 1.The Judicial Magistrate No.I,
Virudhunagar.
- 2.The Sub Inspector of Police,
Mallankinaru Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Ms.G.M.LAW OFFICER, ADVOCATE IN SR NO.85061

ARUL

BU/SV/SAR-IV : 01.10.2018 : 2P/5C

Cr1.O.P. (MD) .No.11895 of 2014
and