



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P. (MD) .No.12120 of 2014

and

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

1.K.Shajakhan
2.P.Thangamani
3.G.Prabhu

..Petitioners/Accused 8,10,11

Vs.

R.Santhana Krishnan

..Respondent/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.231 of 2013 on the file of the Judicial Magistrate No.1, Madurai and quash the same as far as these petitioners are concerned.

For Petitioner: Mr.A.Hafiza

For Respondent: Mr.C.M.Arumugam

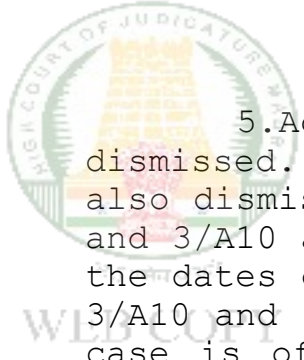
O R D E R

This quash petition is filed to quash the criminal proceedings in C.C.No.231 of 2013 on the file of the Judicial Magistrate No.1, Madurai as against the petitioners.

2.The learned counsel appearing for the petitioners would submit that the first petitioner/A8 has been died. Recording the said submission, the charge as against the first petitioner/A8 is abated.

3.The learned Additional Public Prosecutor would submit that in this case, the trial has been commenced.

4.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 Additional Public Prosecutor, in this case, trial has been commenced. Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.



5. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petitions are also dismissed. However, personal appearance of the petitioners 2 and 3/A10 and A11 is dispensed with before the trial Court, except the dates on which, the trial Judge insisted the petitioners 2 and 3/A10 and 11 to appear before the trial Court. Further, since the case is of the year 2013, the learned Judicial Magistrate No.1, Madurai is directed to dispose of the case, within a period of six months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-III)

To

The Judicial Magistrate No.1, Madurai.

+ 1 CC TO MR.C.M.ARUMUGAM, ADVOCATE IN SR NO.86450

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BU/PM/SAR-III:02.11.2018 : 2P/3C

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