



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.[MD].No.12299 of 2014
and
M.P.[MD].Nos.1 and 2 of 2014

1.T.Justin Raj
2.Jessy

: Petitioners

Vs.

The State Represented by
The Inspector of Police,
All Women Police Station,
Kuzhithurai, Kanyakumari District.
(Crime No.7 of 2003)

2.Derishya Mahzil

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records of the proceedings in C.C.No.106 of 2005, pending on the file of the learned Judicial Magistrate at Padmanabhapuram, Kanyakumari District and quash the same.

For Petitioners
For R-1

: Mr.K.Vamanan

: Mr.K.Dinesh Babu

Additional Public Prosecutor

ORDER

This quash petition is filed to quash the criminal proceedings in C.C.No.106 of 2005, pending on the file of the learned Judicial Magistrate at Padmanabhapuram, Kanyakumari District.

2.The learned Additional Public Prosecutor would submit that already trial has been commenced and P.Ws.1 to 3 were examined.

3.It is seen from the records that no ground is raised by the learned counsel for the petitioner to quash the criminal proceedings against him. 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 respondent in this case, trial has been commenced and P.Ws.1 to 3 have already been 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. Considering the year of the case, the learned learned Judicial Magistrate at Padmanabhapuram, Kanyakumari District is directed to dispose of the case, within a period of six months from the date of receipt of a copy of this order. The petitioners are at liberty to raise all the grounds before the trial Court. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar (CS-IV)

sjj

To

1. The Judicial Magistrate at Padmanabhapuram,
Kanyakumari District.
2. The Inspector of Police,
All Women Police Station,
Kuzhithurai, Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Vamanan, Advocate in SR No.86947

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and
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NM/SKN/SAR IV/25.11.18/2P/5C.