



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.(MD).No.14721 of 2015
and
M.P.(MD) Nos.1 and 2 of 2015

S.Periyasamy

..Petitioner

Vs.

1.The State rep., by
The Inspector of Police,
District Crime Branch,
Thoothukudi District.
(Crime No.21 of 2010)

2.K.Vellaiyammal

..Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the case in C.C.No.81 of 2013 on the file of the Judicial Magistrate No.I, Thoothukudi, Thoothukudi District and quash the same.

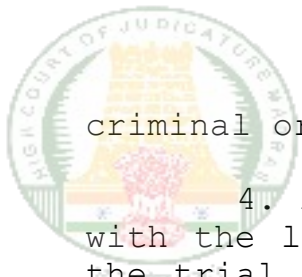
For Petitioner	: Mr.R.Anand
For R-1	: Mrs.Anantha Devi
	Government Advocate (CrI.side)
For R-2	: Mr.R.Murugan

O R D E R

This quash petition is filed to quash the criminal proceedings in C.C.No.81 of 2013 on the file of the Judicial Magistrate No.I, Thoothukudi, Thoothukudi District.

2. The learned Government Advocate (criminal side) submitted that in this case, trial has been commenced.

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 Government Advocate (criminal side), 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 with the liberty to the petitioner to raise all the grounds before the trial Court. Consequently, connected M.P.(MD) No.1 of 2015 is also dismissed. However, the trial Court is directed to complete the trial proceedings, within a period of six months from the date of receipt of a copy of this order.

5. Considering the age of the petitioner, the personal appearance of the petitioner in C.C.No.81 of 2013 on the file of the Judicial Magistrate No.I, Thoothukudi, is dispensed with.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1.The Judicial Magistrate No.I, Thoothukudi

2.The Inspector of Police,
District Crime Branch,
Thoothukudi District.

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

RMK

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