



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P. (MD) .No.15720 of 2014

and

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

1.P.T.Manimaran

2.Jenni Marx

...Petitioners/Accused

Vs.

1.The Inspector of Police

C4, Thilagar Thidal Police Station

Madurai

..1st Respondent/Complainant

2.M.S.Subramaniyam

..2nd Respondent/

Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the charge sheet in C.C.No.246 of 2012 on the file of the learned Judicial Magistrate No.II, Madurai and quash the same.

For Petitioners : Mr.V.Sasikumar

For R1

: Mr.V.Neelakandan

Additional Public Prosecutor

For R2

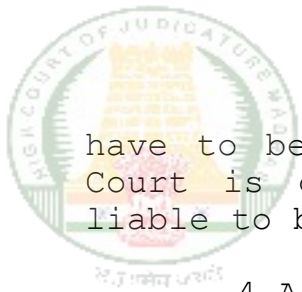
: Mr.K.Muraleedaran

O R D E R

This quash petition is filed to call for the records relating to C.C.No.246 of 2012 on the file of the learned Judicial Magistrate No.II, Madurai and quash the same.

2.Heard the learned counsel for the petitioners; the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel for the second respondent.

3.It is seen from the records that there is an incriminating material to attract the charges as against the petitioners. Therefore, this Court finds that there is no merit in the petition to quash the case in C.C.No.246 of 2012. Hence, this Court is of the view that the grounds raised in the petition



have to be gone into in a full fledged trial. 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 petitions are also dismissed. However, the petitioner is at liberty to raise all the grounds before the trial Court. The personal appearance of the second petitioner before the trial Court is dispensed with, except the dates of hearing, on which, the learned Judicial Magistrate insisted upon the second petitioner to appear before the Court.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1. The Inspector of Police
C4, Thilagar Thidal Police Station,
Madurai
2. The Judicial Magistrate No. II, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.V.SASI KUMAR, Advocate SR. NO. 88283

Cr1.O.P. (MD) .No.15720 of 2014
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MSA

TR/SV/SAR-IV(26.10.2018) 2P 5C