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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2018

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.1582 of 2015

and

M.P(MD) .Nos.1 & 2 of 2015

C.Suresh

.. Petitioner/Accused No.2

Vs.

1.State represented by

The Inspector of Police

District Crime Branch

Pudukottai District

..1st Respondent/Complainant

2.Arumugam

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to S.C.No.156 of 2014 pending on the file of the learned Assistant Sessions Judge Cum Chief Judicial Magistrate, Pudukottai and quash the same insofar as the petitioner is concerned.

For Petitioner

: Mr.S.Ravi

For R1

: Mr.A.P.G.Ohm Chairma Prabhu

Government Advocate(Crl.Side)

For R2

: Ms.Aparna

O R D E R

This Criminal Original Petition has been filed to call for the records relating to S.C.No.156 of 2014 pending on the file of the learned Assistant Sessions Judge Cum Chief Judicial Magistrate, Pudukottai and quash the same insofar as the petitioner is concerned.

2.Heard the learned counsel appearing for the petitioner.

3.The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that trial has been commenced and two witnesses were examined.

4.It is seen from the records that the grounds raised in the petition have to be gone into in a full fledged trial. Moreover, as submitted by the learned Government Advocate (Crl.Side), in this



case, trial has been commenced and P.W1 and P.W.2 were examined. Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.

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5. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar(CS-III)

To

- 1.The Assistant Sessions Judge Cum Chief Judicial Magistrate
Pudukottai
2. The Inspector of Police
District Crime Branch
Pudukottai District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD) No.1582 of 2015
and
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KK/RP/SAR-3/06.12.2018/2P-4C