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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.10.2018
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.(MD).No.15832 of 2015
and
M.P.(MD).No.1 of 2015

1.Nangaiyar
2.Vallinayagam Pillai
3.Kala
4.Amutha Mandiram @ Amutha
5.Mangala Ganapathy .. Petitioners/2 to 6 Respondents

Vs.

D.Gandhimathi @ Gunasekari .. Respondent/Petitioner

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in the Petition in Cr.M.P.No.4052 of 2015 on the file of the Learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District and quash the proceedings initiated against the Petitioners herein on the basis of the Petition filed by the Respondent.

For Petitioners : Mr.A.Thiruvadi Kumar

ORDER

This petition has been filed to call for the records in the Petition in Cr.M.P.No.4052 of 2015 on the file of the Learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District and quash the proceedings initiated against the Petitioners herein on the basis of the Petition filed by the Respondent.

2.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. At this stage, this Court is of the view that this criminal original petition is liable to be dismissed.

3.Accordingly, this criminal original petition is dismissed. However, considering the year of the case, the learned Judicial Magistrate No.III, Nagercoil, 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. However, the learned counsel for the petitioners seeks the personal appearance of the petitioners before the trial Court may be dispensed with. Hence, the personal



appearance of the petitioners before the trial Court is dispensed with, except the dates of hearing, on which, the learned Judicial Magistrate insisted upon the petitioners to appear before the Court. Consequently, connected miscellaneous petition is also closed.

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Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Judicial Magistrate No.III, Nagercoil.

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

+1CC to Mr.A.Thiruvadi Kumar, Advocate, SR.No.91946

Cr1.O.P. (MD) .No.15832 of 2015
25.10.2018

TM

ES/SKN/RSK/SAR 3/14.11.2018/2P/4C