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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.(MD).No.1595 of 2014

Rejith

..Petitioner

Vs.

The Sub Inspector of Police,
Mandaikadu Police Station,
Kanyakumari District.
crime No.72/2013

..Respondent

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to C.C.No.244 of 2013 on the file of the District Munsif cum Judicial Magistrate, Eraniel and quash the same as against the petitioner.

For Petitioner : Mr.M.Punitha Deva Kumar

For Respondent : Mr.M.Asokan, G.A. (Crl. Side)

O R D E R

This quash petition is filed to quash the criminal proceedings in C.C.No.244 of 2013 on the file of the District Munsif cum Judicial Magistrate, Eraniel, having been taken cognizance against the petitioner for the offence under Sections 379 read with 511 of I.P.C. and Section 21(1) of Mines and Minerals Regulation Development Act, 1957.

2.The learned Government Advocate (criminal side) submitted that in this case, trial has been commenced and the case is posted on 31.10.2018 for examining the witnesses of L.Ws.1 to 5.

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 and the case is posted on 31.10.2018 for examining the witnesses of L.Ws.1 to 5. Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Accordingly, this criminal original petition is dismissed



with the liberty to the petitioner to raise all the grounds before the trial Court.

Sd/-

Assistant Registrar (T&P)

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Sub Assistant Registrar (CS-III)

To

1. The District Munsif cum Judicial Magistrate,
Eraniel
2. The Sub Inspector of Police,
Mandaikadu Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD) .No.1595 of 2014
05.09.2018

ARUL

KK/PM/SAR-3/03.10.2018/2P-4C