



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P. (MD) .No.1602 of 2014

and

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

1.Arumugaperumal

2.Madasamy

3.Alagusundarraaj

..Petitioners/Accused No.1 &3

Vs.

1.The State represented by

The Sub Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar District.

..1st Respondent/Complainant

2.Balamurugan

..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 complaint in S.T.C.No.169 of 2013 on the file of the Judicial Magistrate, Rajapalayam and quash the same as illegal.

For Petitioners: Mrs.Lakshmi Gopinathan

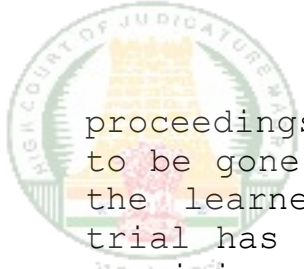
For Respondents: Mr.M.Asokan, G.A. (CrI. Side)
for R1

ORDER

This quash petition is filed to quash the criminal proceedings in S.T.C.No.169 of 2013 on the file of the Judicial Magistrate, Rajapalayam, having been taken cognizance for the offence under Sections 294(b) and 506(i) of I.P.C., in which, the petitioners are arraigned as A1 to A3.

2.The learned Government Advocate (criminal side) submitted that in this case, trial has been commenced and the case is posted on 12.09.2018 for examining the witnesses of L.Ws.1 to 3.

3.It is seen from the records that no ground is raised by the learned counsel for the petitioners to quash the criminal



proceedings against them. 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 12.09.2018 for examining the witnesses of L.Ws.1 to 3. 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 petitioners to raise all the grounds before the trial Court. However, the appearance of the petitioners/A1 to A3 before the learned Judicial Magistrate, Rajapalayam is dispensed with, except the dates of hearing on which, the learned Judicial Magistrate insisted the petitioners to appear before the Court. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CRL-SIDE)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1. The Judicial Magistrate,
Rajapalayam.
2. The Sub Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO POLAX LEGAL SOLUTIONS, IN SR NO. 82628

ARUL

BU/SKN/SAR-I : 27.09.2018 : 2P/5C

Crl.O.P. (MD) .No.1602 of 2014

and

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