



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).Nos.1728 and 1729 of 2014
and

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

1.N.Sakthirajan

2.Jeyaraman

3.Kesavan

..Petitioners/Accused Nos.1,3,5&6 in
Crl OP 1728/14

4.Joselin Bright

..Petitioners/Accused in 1,2,3&5 in
Crl OP 1729/14

Vs.

The State rep. by
The Inspector of Police,
District Crime Branch,
Nagercoil.

..Respondent/Complainant in both
petitions

PRAYER: These Criminal Original Petitions have been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to C.C.Nos.299 and 300 of 2006 pending on the file of the Judicial Magistrate No.1 at Nagercoil and quash the same as illegal, incompetent and ultra vires.

For Petitioners : Mr.MA.P.Thangavel

For Respondents : Mr.K.Dinesh Babu, APP for R1

O R D E R

These quash petitions are filed to quash the criminal proceedings in C.C.Nos.299 and 300 of 2006 pending on the file of the Judicial Magistrate No.1 at Nagercoil against the petitioners.

2.The learned Additional Public Prosecutor would submit that in this case, the trial has been commenced and P.Ws.1 and 2 were examined as prosecution witnesses and the case is posted for hearing on 07.10.2018.

3.This Court find no merits in the grounds raised by the learned counsel for the petitioners to quash these criminal proceedings against them. The grounds raised in the petitions have to be gone into in a full fledged trial. Moreover, as submitted by the learned counsel for the petitioners, in this case, trial has



been commenced and P.Ws.1 and 2 were examined. Therefore, this Court is of the view that these criminal original petitions are liable to be dismissed.

4. Accordingly, these criminal original petitions are dismissed. Consequently, connected miscellaneous petitions are also dismissed.

Sd/
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar (CS-I)

To

1. The Inspector of Police, District Crime Branch, Nagercoil.
2. The Judicial Magistrate No. I, Nagercoil.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) .Nos.1728 and 1729 of 2014
and

M.P. (MD) Nos.1 and 1 of 2014
18.09.2018

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KK/SKN/SAR-1/28.09.2018/2P-4C