



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.(MD).No.17280 of 2014
and
M.P.(MD).Nos.1 and 2 of 2014

1.S.Sarvanakumar
2.Selvam

..Petitioners/Accused No.1&2

Vs.

1.The Inspector of Police,
North Police Station,
Rajapalayam,
Virudhunagar District. ..1st Respondent/Complainant

2.Harikrishnan ..2nd Respondent/De facto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the proceedings in S.T.C.No.59 of 2014, on the file of the learned Judicial Magistrate, Rajapalayam and quash the same.

For Petitioners : Mr.A.Sivaji

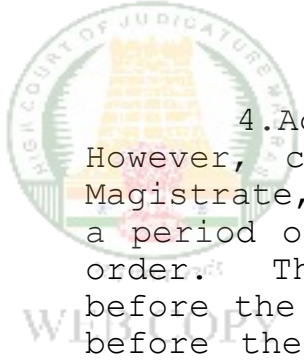
For R-1 : Mr.V.Neelakandan
Additional Public Prosecutor

O R D E R

This petition is filed to quash the proceedings in S.T.C.No.59 of 2014, on the file of the learned Judicial Magistrate, Rajapalayam.

2.The learned Additional Public Prosecutor would submit that in this case trial has been commenced and P.Ws.1 and 2 were examined.

3.Perusal of the records, this Court find no merits in the ground raised by the learned counsel for the petitioners. Moreover, as submitted by the learned counsel for the respondent in this case, trial has been commenced and P.Ws.1 and 2 were examined. Therefore, this Court is of the view that the prayer sought for by the petitioner cannot be granted at this stage and hence, this criminal original petition is liable to be dismissed.



4. Accordingly, this criminal original petition is dismissed. However, considering the year of the case, the learned Judicial Magistrate, Rajapalayam, 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. Further, the appearance of the petitioners 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 closed.

Sd/-
Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar (CS-I)

sjj

To

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

+1cc to Mr.A.Sivaji, Advocate in SR No.87425

Cr1.O.P. (MD) .No.17280 of 2014
and
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NM/PM/SAR I/30.10.18/2P/5C