



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2018

CORAM:

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.(MD).No.23181 of 2014
and
M.P.(MD).No.1 of 2014

Subahar .. Petitioner/Accused
Vs.

1. State rep. by
The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
(Crime No.559 of 2010) .. 1st Respondent/Complainant

2.Moses Jothi Raj .. 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the impugned proceedings in C.C.No.145 of 2013 on the file of the Judicial Magistrate, Padmanabhapuram and to quash the same.

For Petitioner : Mr.M.R.Sreenivasan
For Respondents : Mr.A.P.G.Ohm Chairma Prabhu for R1
Government Advocate (CrI. Side)

ORDER

This petition is filed to call for the records pertaining to the impugned proceedings in C.C.No.145 of 2013 on the file of the Judicial Magistrate, Padmanabhapuram and to quash the same.

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. Therefore, 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, Padmanabhapuram, is directed to dispose of the case, within a period of three months from the date of receipt of a copy of this order. The petitioner is at liberty to raise all the grounds before the trial Court. However, the learned counsel for the petitioner seeks the personal appearance of the petitioner before the trial Court may be dispensed with. Hence, the personal



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

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Sd/-
Assistant Registrar (ADI)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Judicial Magistrate, Padmanabhapuram.
2. The Inspector of Police, Thuckalay Police Station, Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr. M. R. Sreenivasan, Advocate, SR.No.88596

TM

SS/SKN/SAR 1/03.12.2018/2P/5C

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