



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2018

CORAM

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P. (MD)No.4054 of 2014

and

M.P (MD) .No.1 of 2014

1.Muthaiyan
2.Sumathi
3.Sivakumar

.. Petitioners/Accused Nos. 1 to 3

Vs.

1.The Inspector of Police
Puthukadai Police Station
Puthukadai
Kanyakumari District

..Respondent/Complainant

2.Krishna Kala
Complainant

...Respondent/Defacto

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records from the learned Judicial Magistrate No.II, Kuzhithurai in C.C.No.158 of 2013 and quash the same as it has no prima facie case against the petitioners.

For Petitioners : Mr.Ananth C.Rajesh
For R1 : Mr.S.Chandra Sekar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for the records from the learned Judicial Magistrate No.II, Kuzhithurai in C.C.No.158 of 2013 and quash the same as it has no prima facie case against the petitioners.

2.Heard the learned counsel appearing for the petitioners.

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 Additional Public Prosecutor, in this case, trial has been commenced and the case is posed on 18.09.2018 for examination of witnesses. 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. Consequently, the connected miscellaneous petition is closed.

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/True Copy/

Sd/-

Assistant Registrar (CS-III)

Sub Assistant Registrar (CS-III)

msa

1.The Judicial Magistrate No.II
Kuzhithurai

2.The Inspector of Police
Puthukadai Police Station
Puthukadai
Kanyakumari District

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

+1cc to Mr.Ananth C.Rajesh, Advocate in SR No.84219

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NM/PM/SAR 3/08.10.18/2P/5C