



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.(MD).No.10505 of 2017

and

Crl.M.P.(MD).Nos.7181 & 7182 of 2017

1.Selvaraj  
2.Jeyanthi  
3.Kumar  
4.Goguldas

...Petitioners / Accused Nos.1 to 4

Vs.

1.The Inspector of Police,  
Pudukadai Police Station,  
Kanyakumari District.  
(In Crime No.24 of 2015)

...1<sup>st</sup> Respondent / Complainant

2.M.P.Merlin,  
Village Administrative Officer,  
Villathurai Village, Vilavangodu Taluk,  
Kanyakumari District. ...2<sup>nd</sup> Respondent / De-facto Complainant

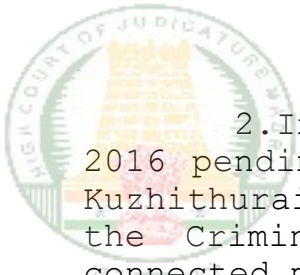
PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the charge sheet in S.T.C.No.12 of 2016 pending on the file of the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District and quash the same

For Petitioners  
For Respondents

:Mr.K.Samidurai  
:Mr.K.Suyambulinga Bharathi  
Government Advocate (Crl. side)

#### ORDER

This Criminal Original Petition has been filed for seeking to quash the proceedings in S.T.C.No.12 of 2016, pending on the file of the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District. A final report has been filed for the offences under Sections 143, 188 and 353 I.P.C. Insofar as the offences under Sections 188 and 143 I.P.C are concerned, this case is squarely covered by the judgment of this Court in Crl.O.P.(MD).No.1356 of 2018 etc batch, dated 20.09.2018. Insofar as the offence under Section 353 I.P.C is concerned, no case has been made out and the alleged offence is intrinsically connected with the other offences under Sections 188 and 143 I.P.C. Therefore, the final report is liable to be quashed even insofar as the offence under Section 353 is concerned.



2. In view of the above, the proceedings in S.T.C.No.12 of 2016 pending on the file of the learned Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District is hereby quashed. Accordingly, the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed.

WEB COPY

Sd/  
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar (CS-IV)

To

1. The Judicial Magistrate No.II, Kuzhithurai,  
Kanyakumari District.
  2. The Inspector of Police,  
Pudukadai Police Station,  
Kanyakumari District.
  3. The Village Administrative Officer,  
Villathurai Village, Vilavangodu Taluk,  
Kanyakumari District.
  4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- +1cc to Mr.K.SAMIDURAI, Advocate, SR.No. 88301

Cr1.O.P. (MD) .No.10505 of 2017  
03.10.2018

TSG  
KK/SV/SAR-4/30.10.2018/2P-6C