



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.10.2018**

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.(MD) No.11418 of 2017

and

CrI.M.P.(MD) Nos.7847 and 7848 of 2017

Palaniyandi

...Petitioner

Vs.

Ramadurai

...Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in S.T.C.No.1063 of 2015 on the file of the learned Judicial Magistrate, Thirumangalam, Madurai District and quash the proceedings as against the petitioner.

For Petitioner: Mr.R.Rajaraman

ORDER

This criminal original petition has been filed to quash the proceedings in S.T.C.No.1063 of 2015 on the file of the learned Judicial Magistrate, Thirumangalam, Madurai District.

2.The learned counsel for the petitioner has raised several grounds in order to justify the quashing of the proceedings insofar as this petitioner is concerned.

3.This Court is of the considered view that the grounds raised by the petitioner are factual in nature and the same shall be raised only before the Court below in the course of proceedings and the Court below shall consider the same on its own merits and in accordance with law.

4.The learned counsel for the petitioner would submit that the presence of the petitioner shall be dispensed with before the Court below. The presence of the petitioner is dispensed with before the Court below and the petitioner shall be represented by a counsel. The petitioner shall be present before the Court below at the time of questioning under Section 313 of Cr.P.C., and at the time of passing of judgment.

5.The Court below is directed to complete the proceedings in S.T.C.No.1063 of 2015 within a period of three months from the date of receipt of copy of this order and report compliance before this Court after completion of the proceedings.

<https://hcservices.ecourts.gov.in/hcservices/>

6.This criminal original petition is disposed of with the



above direction. Consequently, the connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar (CO)

WEB COPY

// True Copy //

Sub Assistant Registrar(CS-III)

To

The Judicial Magistrate,
Thirumangalam,
Madurai.

+ 1 CC TO MR.R.RAJARAMAN, ADVOCATE IN SR NO.92666

MM

BU/SKN/SAR-III:26.11.2018 : 2P/3C

Cr1.O.P.(MD) No.11418 of 2017
26.10.2018