



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2018

CORAM

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.12393 of 2017
and
Crl.M.P. (MD) No.8561 of 2017

C.Y.Babu Herbert Kins ... Petitioner/Sole Accused

Vs.

K.Samuel Jeba Kumar ... Respondent/Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.414 of 2012 on the file of the Judicial Magistrate, FTC at Tuticorin and quash the same.

For Petitioner : Mr.T.Ashok kumar

For Respondent : Mr.N.Dilipkumar

ORDER

This criminal original petition has been filed to quash the proceedings in C.C.No.414 of 2012 on the file of the Judicial Magistrate, FTC at Tuticorin.

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 Court below is directed to complete the proceedings in C.C.No.414 of 2012 within a period of two months from the date of receipt of copy of this order and report compliance before this Court after completion of the proceedings.



5. This criminal original petition is disposed of with the above direction. Consequently, the connected miscellaneous petition is dismissed.

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Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

The Judicial Magistrate,
Fast Track Court,
Tuticorin.

+ 1 CC TO Mr.N.DILIP KUMAR, ADVOCATE IN SR No. 93173

MM

TE/SV/SAR-4 : 04/12/2018 : 2P/3C

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