



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.7480 of 2014

and

M.P. (MD) Nos.1 and 2 of 2014

R.Kanagam

..Petitioner/Accused No.3

Vs.

1.The State Rep. By,
Deputy Superintendent of Police,
Alangulam Taluk,
Tirunelveli District.

2. The Inspector of Police,
Alangulam Police Station,
Tirunelveli District,
Crime No. 590 of 2012.

..Respondents/Complainants

3. Senthamarai Selvi

..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 charge sheet in C.C. No.36 of 2013 dated 05.04.2013 pending before the Judicial Magistrate Court, Tenkasi in Crime No. 596 of 2012 dated 06.12.2012 on the file of the second respondent u/s.353,506(ii) and 109 of IPC and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents: Mr.V.Neelakandan, APP

No.1& 2

ORDER

This quash petition is filed to quash the criminal proceedings in C.C. No.36 of 2013 pending on the file of the Judicial Magistrate Court, Tenkasi.

2.The learned Additional Public Prosecutor would submit that the case in C.C.No.36 of 2013 has been transferred to the file of the learned Judicial Magistrate, Alangulam and re-numbered as C.C.No.692 of 2016.



3. It is seen from the records that the charge sheet and the statement recorded under section 161(3) Cr.P.C have incriminating materials as against the petitioner to proceed with the trial. Therefore this Court is not inclined quash the proceedings. 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. However, considering the year of the case, the learned Judicial Magistrate, Alangulam 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. consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS-III)

To

1. The Judicial Magistrate,
Alangulam.
2. The Deputy Superintendent of Police,
Alangulam Taluk,
Tirunelveli District.
3. The Inspector of Police,
Alangulam Police Station,
Tirunelveli District,
Crime No. 590 of 2012.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.T.LAJAPATHI ROY, ADVOCATE IN SR NO.87682

+ 1 CC TO MR.H.ARUMUGAM, ADVOCATE IN SR NO.87102

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BU/RSK/SAR-III:27.10.2018 : 2P/7C

**Cr1.O.P. (MD) .No.7480 of 2014
and**

**M.P. (MD) Nos.1 & 2 of 2014
26.09.2018**