



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.7905 of 2015

and

M.P. (MD) No.1 of 2015

1.Muthu

2.Pitchaiammal

..Petitioners/Accused 2 & 4

Vs.

1. State Rep. by

The Inspector of Police,

Namanasamuthiram Police Station,

Pudukkottai District.

(Crime No.105 of 2014)

... Respondent 1/Complainant

2. Murugesan

..Respondent 2/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.1 of 2015 on the file of the learned Judicial Magistrate, Thirumayam and quash the same as illegal.

For Petitioner

: Mr.A.K.Manickam

For R1

: Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

O R D E R

This quash petition is filed to quash the criminal proceedings in C.C.No.1 of 2015 on the file of the learned Judicial Magistrate, Thirumayam.

2.The learned Government Advocate (Crl.Side) would submit that in this case, trial has been commenced and P.Ws.1 to 3 were examined as prosecution witnesses.

3.It is seen from the records that no ground is raised by the learned counsel for the petitioner 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 counsel for the petitioner, in this case, trial has been commenced and P.Ws.1 to 3 were examined. 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, connected miscellaneous petition is also dismissed.

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Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Judicial Magistrate, Thirumayam.
2. The Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TA

VB/SV/SAR2/14.11.2018/2P/4C

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