



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMARCRL.O.P. (MD) No.9927 of 2018 and
Crl.M.P. (MD) .Nos.4437 and 4438 of 2018

1. Muniyandi @ Daniel
2. Anandaraj

.. Petitioners/
Accused Nos.1 & 2**Vs.**

- 1.State rep. by,
The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.
(Crime No.555/2011)

.. 1st Respondent/Complainant

- 2.Nagoormeeran

.. 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records pertaining to C.C.No.1160 of 2016 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District and quash the same.

For Petitioners : Mr.M.Ramu
For Respondent No.1 : Mr.Prabhu Ramachandran
Government Advocate (Criminal side)

O R D E R

This petition is filed to quash the proceedings in C.C.No. 1160 of 2016 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the State.

3. According to the petitioner, the above said case has been registered in Crime No.555 of 2011 for the offences punishable under Sections 417, 418, 420, 294(b) and 506(ii) of IPC. Thereafter, the charge sheet was taken on file in C.C.No.1160 of 2016 by the learned Judicial Magistrate, Sankarankovil, Tirunelveli District. He further submitted that in the said charge sheet, the offences framed against the petitioners are purely civil in nature. Hence, the petitioner has come up with this petition to quash the above said C.C.No.1160 of 2016.



4. The learned Government Advocate (Criminal side), on instructions, would submit that the trial has already been commenced in the above said case and it was posed on 03.05.2018 for examination of prosecution witnesses and subsequently, it was adjourned to 03.08.2018. Therefore, if the petitioners co-operate for the trial, the above said case in C.C.No.1160 of 2016 will be disposed of as early as possible. He further submitted that all the contentions made by the petitioners in this case may be placed before the trial Court.

5. In the light of the above, the learned Judicial Magistrate, Sankarankovil, Tirunelveli District is directed to dispose of C.C.No.1160 of 2016 as expeditiously as possible, preferably, within a period of three months from the date of receipt of the copy of this order.

6. With the above direction, the Criminal Original Petition is disposed of. In the meantime the personal appearance of the petitioners in C.C.No.1160 of 2016 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District, is dispensed with and the petitioners are directed to appear before the trial Court as and when required by the Trial Judge. Accordingly, Crl.M.P.(MD).No.4438 of 2018 is ordered. Consequently, connected Crl.M.P.(MD).No.4437 of 2018 is closed.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Sankarankovil,
Tirunelveli District.
2. The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.M.RAMU, ADVOCATE IN SR No. 69207

PJL

TE/SB/SAR-3 : 05/07/2018 : 3P/5C

CRL.O.P. (MD) No.9927 of 2018
21.06.2018