



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.[MD].No.18934 of 2018

and

CrI.M.P(MD)Nos.8450 and 8451 of 2018

Paneerselvam

: Petitioner/Accused No.2

Vs.

1.The State Rep.by

The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

(Crime No.337 of 2016) ..1st Respondent/Complainant

2.Ganesan

: 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the final report bearing C.C.No.351 of 2017 on the file of the learned Additional District Munsif cum Judicial Magistrate Court, Manamadurai, Sivagangai District and quash the same as illegal and devoid of merits.

For Petitioner : Mr.M.Jegadeesh Pandian

For R1 : Mr.K.Suyambulinga Bharathi

Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.351 of 2017, pending on the file of the learned Additional District Munsif cum Judicial Magistrate Court, Manamadurai, Sivagangai District.

2.It is seen from the records that there are totally three accused persons in this case and insofar as A3 is concerned, the defacto complainant has already compromised and the proceedings were quashed insofar as the A3 is concerned, by an order dated 14.12.2017 in CrI.O.P.(MD)No.15935 of 2017.

3.This Court is of the considered view that the issues raised by the petitioner is factual in nature and the same can be raised



only before the Court below and the court below shall consider the same on its own merits and in accordance with law.

4. In the facts and circumstances of the case, this Court does not want to interfere with the proceedings of the court below, since the charges have already been framed.

5. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.351 of 2017, pending on the file of the learned Additional District Munsif cum Judicial Magistrate Court, Manamadurai, Sivagangai District, within a period of two months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Additional District Munsif-Cum-Judicial Magistrate,
Manamadurai, sivagangai District.

2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

- 1 CC TO Mr.M.Jegadeesh Pandian , ADVOCATE IN SR No.92408.
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- DAS
- DS SKN SAR3 20 11 2018 2P 5C

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