



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2018

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD)No.10738 of 2018

and

Crl.M.P.(MD).Nos.4834 and 4835 of 2018

1. Arulanthu
2. Peter

... Petitioners/Accused 1&2

-vs-

1. The State represented by
the Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
(Crime No.144 of 2015).

... Respondent/Complainant

2. Oyyammal

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code to quash the charge sheet made in C.C.No.169 of 2017 on the file of the Judicial Magistrate Court, Ilayankudi.

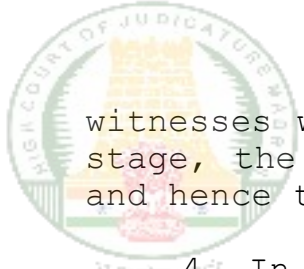
For Petitioners : Mr.P.R.Prithiviraj
For R1 : Mr.Prabhu Ramachandran
Government Advocate (Crl.side)

O R D E R

The petitioners have filed the present Criminal Original Petition before this Court against the impugned charge sheet in C.C.No.169 of 2017 on the file of the Judicial Magistrate Court, Ilayankudi.

2. The learned counsel for the petitioners would submit that there is no previous enmity between the petitioners and the de-facto complainant and they have not committed any offence as alleged by the prosecution. It is further submitted that the case has been registered in the year 2015 and the charge sheet has also been filed in the year 2017.

3. The learned Government Advocate (Crl.side) appearing for the first respondent would submit that the ground raised by the petitioner for quashing the proceedings is not maintainable. Further, it is submitted that the trial has been commenced, P.Ws.1 and 2 have been examined on the side of the prosecution and the



witnesses were cross-examined by the petitioner. Therefore, at this stage, the present Criminal Original Petition cannot be entertained and hence the same is liable to be dismissed.

4. In the light of the aforesaid submission, this Court is of the view that the petitioner has not made out any case to entertain the Criminal Original Petition for quashing the charge sheet. Hence, the Criminal Original Petition is dismissed with a direction to the trial Court to dispose of the C.C.No.169 of 2017 within a period of four months from the date of receipt of a copy of this order. In the mean time, the personal appearance of the petitioners before the trial Court is dispensed with. However, the petitioners shall appear before the trial Court as and when the Court insist upon their appearance. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.R.Prithiviraj, Advocate, SR.No.71383.

Cr1.O.P.(MD)No.10738 of 2018
04.07.2018

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RAM/PN/SAR 4/20.07.2018/2P/4C