



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Tenth day of October
Two Thousand Eighteen

PRESENT

WEB COPY

THE HON`BLE MR.JUSTICE N.ANAND VENKATESH

CRL OP(MD) No.9382 of 2016

RATHINASAMY S/O. PALAYAA,
PROPRIETOR,
M/S. JEYAM AGENCIES,
VELLAMODI, KATTAIKADU,
AMMANDIVILAI POST,
KANYAKUMARI DISTRICT

... PETITIONER

Vs

HYDERABAD INDUSTRIES LIMITED,
NOW INCORPORATED AS HIL LIMITED,
REP BY V.A. SIMON,
REGISTERED OFFICE AT,
SANATNAGAR,
HYDRABAD- 500 018.

... RESPONDENT

Prayer in CRL OP(MD). 9382/ 2016 :

This Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to STC. no.1857 of 2014 on the file of the Learned Principal District Munsif cum Judicial Magistrate, Eraniel Kanyakumari District and quash the same.

Order: This Petition coming on for hearing on this day, upon perusing the petition, affidavit and earlier order of this court and upon hearing the arguments of MR.S.PALANI VELAYUTHAM, Advocate for the petitioner and respondent not appeared either in person or by an Advocate and this court made the following order:

It is seen from records that initially a complaint was filed before the Judicial Magistrate Court, Ernakulam. Thereafter, the case was transferred to the file of the Judicial Magistrate, Eraniel in view of the judgment of the Hon'ble Supreme Court in Dashrath Rupsingh Rathod vs. State of Maharashtra and another. Subsequently, there has been amendment to Section 142(2) by virtue of the Act 26 of 2015, with effect from 15.06.2015.

2. In view of the same, The Principal District Munsif Cum the Judicial Magistrate, Eraniel is directed to send a report before this Court, informing as to whether the case is again sent back to the Judicial I Class Magistrate-III, Cochin.



3.The report should reach this Court on or before 23.10.2018.
Post the matter on 24.10.2018.

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// True Copy //

Sd/-
Assistant Registrar (CO)

Sub Assistant Registrar (CS-II)

TO

1 THE PRINCIPAL DISTRICT MUNSIF
CUM JUDICIAL MAGISTRATE, ERANIEL,
KANYAKUMARI DISTRICT.

COPY TO

1. THE REGISTRAR (JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2. THE SECTION OFFICER,
CRIMINAL SECTION, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI. (2 copies)

ORDER DATED : 10/10/2018

HEARING DATED: 24.10.2018

ORDER

CRL OP (MD) NO.9382 OF 2016

TR/RP/SAR-II (17.10.2018) 2P 5C