



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2018

CORAM

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.22140 of 2018

1.S.Sathish
2.Sathiya Bama
3.Anto

... Petitioners

Vs.

1.The Sub-Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
(Crime No.639 of 2014

2.Sivakumar

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorari, to call for the records pertaining to the order of the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District in D.No.2412 of 2017, dated 31.08.2017 and quash the same as illegal.

For Petitioners : Mr.S.Saji Bino

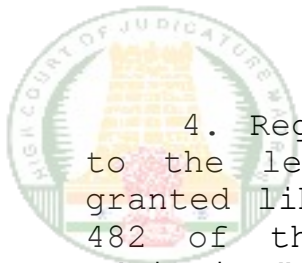
For Respondent : Mr.B.Bhagawathi
No.1 Government Advocate

ORDER

This Writ Petition has been filed to call for the records pertaining to the order of the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District, in D.No.2412 of 2017, dated 31.08.2017 and quash the same as illegal.

2. The learned counsel for the petitioner seeks permission of this Court to withdraw the petition with liberty to convert the same under Section 482 of Cr.P.C., and he has also made an endorsement to that effect.

3. In view of the endorsement made by the learned counsel for the petitioner, this Writ Petition is dismissed as withdrawn. No costs.



4. Registry is directed to return the original impugned order to the learned counsel for the petitioner. The petitioner is granted liberty to file a Criminal Original Petition under Section 482 of the Criminal Procedure Code and post the matter "for admission" on 02.11.2018, if it is otherwise in order.

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Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Judicial Magistrate No.I, Kuzhithurai,
Kanyakumari District.

2.The Sub-Inspector of Police,
Arumanai Police Station,
Kanyakumari District.

Copy To:

1.The Section Officer,
ER Section,
Madurai Bench of Madras High Court,
Madurai. **(2 Copies)**

2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. **(2 Copies)**

3.The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to the Special Government Pleader SR.No. 93377

W.P. (MD) No.22140 of 2018
30.10.2018

SJI

ES/SKN/RSK/SAR 4/31.10.2018/2P/9C