



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P. (MD).No.15606 of 2018

and

Crl.M.P(MD).Nos.6888 & 6889 of 2018

WEB COPY

1.Aantexs

2.Nelson

...Petitioners/A 1 and 2

Vs.

1.The State represented by
The Inspector of Police
Puthukadai Police Station
Kanyakumari District

...1st Respondent/Complainant

2.Muthu Malar

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records in C.C.No.67 of 2018 before the Judicial Magistrate No.II, Kuzhithurai and quash the same as against the petitioners.

For Petitioners

:Mr.S.Ramasamy

For R-1

:Mr.M.Chandra Sekaran
Additional Public Prosecutor

O R D E R

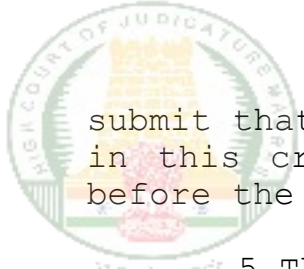
This Criminal Original Petition has been filed to call for the records in C.C.No.67 of 2018 before the Judicial Magistrate No.II, Kuzhithurai and quash the same as against the petitioners.

2.The learned counsel appearing for the petitioners would submit the petitioners have also given a complaint against the second respondent and the same has been registered in Crime No.402 of 2017. The first respondent police without investigating the said case as independently, whereas, investigating only the complaint given by the defacto complainant. Therefore, the learned counsel would submit that the same is contrary to the police standing orders.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that the respondent police is also investigating the case in Crime No.402 of 2017 and will file a final report in the course of time. He further submitted that such procedural irregularities by itself will not be a ground to quash the final report.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned counsel appearing for the petitioners would



submit that whatever grounds that has been raised by the petitioners in this criminal original petition may be permitted to be raised before the Court below during the course of trial.

5. The petitioners are entitled to raise all the issues that have been raised before this Court at appropriate stage before the Court below.

6. With this direction, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.

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

+1cc to Mr. S. Ramasamy, Advocate in sr.no.81944.

Msa

DS SV SAR-1 15.10.2018 2P/4C

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and
Cr1.M.P(MD).Nos.6888 & 6889 of 2018

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