



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1. OP (MD)No.5517 of 2013

and

MP(MD)No.1 of 2013

Thangavel

... Petitioner/1st Accused

Vs.

Ganesan

... Respondent/ Complainant

Prayer : This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code to call for records in P.R.C No.1 of 2010 on the file of the Chief Judicial Magistrate, Dindigul and quash the complaint.

For Petitioner	: Mr.D.Venkatesh
For Respondent	: Mr.A.Arul Jenifer

ORDER

The respondent has filed a private complaint against the petitioner and another before the learned Chief Judicial Magistrate, Dindigul who took cognizance of the same in PRC No.1 of 2010. Some witnesses were also examined.

2.When the matter was taken up for hearing, the learned counsel for the petitioner placing reliance on the decision of this Court reported in **2012-1-L.W (Cr1.) 621 (Karuppa Gounder vs. D.Sekar & others)** contended that such complaint could have only been filed before the concerned Judicial Magistrate and not directly before the Chief Judicial Magistrate.

3.The case on hand is squarely covered by the said decision.

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

Therefore, the impugned complaint stand quashed. The respondent will be at liberty to re-present the complaint before the



concerned jurisdictional magistrate who shall deal with the same in accordance with law.

4. This Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

skm

To

The Chief Judicial Magistrate,
Dindigul

+1 cc to MR.D.VENKATESH, Advocate SR.No.63119

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SMA/CM/SAR-2/15.05.2018:2P/3C