

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.6219 of 2018 and
CrI.M.P.Nos.3134 & 3135 of 2018

Mogamed Yusuf

... Petitioner

Vs.

1. State Rep by,
Inspector of Police,
W-30, All Women Police Station,
Poonamallee, Chennai-600 056

2. Shaharu Banu Beevi

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in C.C.No.344 of 2017 and quash the proceedings pending on the file of the learned District Munsif cum Judicial Magistrate, Sriperumbudur, Kancheepuram District.

For Petitioner : No appearance

For RR1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

For RR2 : Mr.C.V.Kumar

ORDER

This Criminal Original petition has been filed to call for the records in C.C.No.344 of 2017 and quash the proceedings pending on the file of the learned District Munsif cum Judicial Magistrate, Sriperumbudur, Kancheepuram District.

2. The learned counsel for the second respondent / defacto complainant would submit that trial has been commenced in this case and PW1 has also been examined. Hence, he opposed to allow the prayer sought for by the petitioner.

3. It is seen that PW1 has already been examined in this case and also seen that there are averments and allegations

which attract the offences charged by the prosecution as against the petitioner. Therefore, at this stage the entire proceedings in C.C.No.344 of 2017 cannot be quashed. However, the petitioner is at liberty to raise all the points raised in this petition before the trial court. Further considering the case is of the year 2017, the learned District Munsif cum Judicial Magistrate, Sriperumbudur, Kancheepuram is directed to complete the trial in C.C.No.344 of 2017 within a period of four months from the date of receipt of a copy of this Order.

4. With the above observations, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

pds/lok

To

1. The learned District Munsif cum Judicial Magistrate, Sriperumbudur, Kancheepuram District.
2. The Inspector of Police, W-30, All Women Police Station, Poonamallee, Chennai-56
3. The Public Prosecutor, High Court of Madras.

+1cc to Mr.C.V.Kumar, Advocate, S.R.No.15457

Cr1.O.P.No.6219 of 2018 and
Cr1.M.P.Nos.3134 & 3135 of 2018

CS/25/02/2019

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