



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P. [MD] No.4119 of 2019

and

Crl.M.P. (MD) Nos.2475 and 2476 of 2019

WEB COPY

1.Subramania Pillai
2.Sudalai Muthu
3.Perumal

: Petitioners

Vs.

1.The Sub Inspector of Police,
Boothapandi Police Station,
Kanyakumari District,
Crime No.158 of 2018.

2.Nadarajan

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.5 of 2019 on the file of the learned District Munsif cum Judicial Magistrate, Boothapandi, Kanyakumari and quash the same with regard to the petitioners 1 to 3 / accused 1 to 3.

For Petitioner : Mr.RM.Sivakumar

For Respondents : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

ORDER

The present petition is filed to quash the proceedings in C.C.No.5 of 2019 on the file of the learned District Munsif cum Judicial Magistrate, Boothapandi, Kanyakumari.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the first respondent.

3. The learned counsel for the petitioners submitted that the third petitioner / third accused is working in Anna University, Tirunelveli and frequently appearing before the trial Court even in posting when his presence may not be required hinders his official responsibility.

4. In such circumstances, the petitioner is now directed to file a petition under Section 205 Cr.P.C., before the trial Court, which may consider and dispose of the same as per law.



5. With the above direction, this criminal original petition is disposed of. Consequently connected miscellaneous petitions are closed.

WEB COPY

Sd/-

Assistant Registrar (AD-I)

/ True Copy /

Sub Assistant Registrar(CS)

To

1. The District Munsif cum Judicial Magistrate,
Boothapandi, Kanyakumari
2. The Sub Inspector of Police,
Boothapandi Police Station,
Kanyakumari District,
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.RM.SIVAKUMAR, Advocate (SR-57015[F] dated 27/03/2019)

Crl.O.P.[MD]No.4119 of 2019

ES/14.05.2019/2P/5C