



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.5004 of 2019

and

Crl.M.P. (MD)Nos.3147 and 3148 of 2019

WEB COPY

- 1.Shenbagaramangesan
- 2.Jeyakumar
- 3.Vijayakumar
- 4.Sankara Nainar
- 5.Karthikeyan

: Petitioners/Accused Nos.1 to 5

/Vs./

- 1.The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District, :1st Respondent/Complainant
(Crime No.318 of 2017)

- 2.Balamurugan : 2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.136 of 2018 on the file of the learned Judicial Magistrate, Tenkasi, Tirunelveli District and quash the same.

For Petitioners : Mr.R.J.Karthick
For R1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

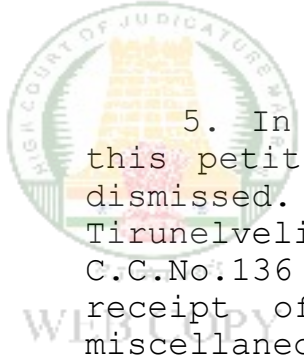
ORDER

This petition has been filed to quash the proceedings in C.C.No.136 of 2018 pending on the file of the learned Judicial Magistrate, Tenkasi, Tirunelveli District.

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 offence is not made out and the case is foisted solely to settle some personal score, which the defacto complainant had.

4. After carefully going through the statement of the witnesses, this Court finds that the statements disclose adequate materials for framing charges and the merits of the said charges may have to be tested only during trial.



5. In conclusion, this Court holds that there is no merit in this petition and accordingly, this Criminal Original Petition is dismissed. However, the learned Judicial Magistrate, Tenkasi, Tirunelveli District is now directed to dispose of the case in C.C.No.136 of 2018 within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar(CS)

To

- 1.The Judicial Magistrate, Tenkasi,
Tirunelveli District
- 2.The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-58780[F] dated 04/04/2019)

Cr1.O.P.[MD]No.5004 of 2019
03.04.2019

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ES/SP/29.04.2019/2P/5C