



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2019

CORAM

WEB COPY

THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

Crl.O.P.No.5458 of 2019
and
Crl.MP(MD)No.3440 of 2019

1.S.Karthickkumar
2.S.Kalidoss
3.Subramanian @ Subbu

.. Petitioners/Accused Nos.
10, 15 & 16

Vs

1. State Rep. By
The Sub Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District. .. 1st Respondent/Complainant

2. Muneeswaran .. 2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.27 of 2019 on the file of the learned Judicial Magistrate, No.II, Ramanathapuram and quash the same.

For Petitioners : M/s.P.Muthusamy

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.27 of 2019 on the file of the learned Judicial Magistrate, No.II, Ramanathapuram.

2. The case of the prosecution is that the petitioners are A 10, A 15 & A 16. Totally 17 accused persons involved in this case. When the defacto complainant doing work in the brick chamber, the accused persons abused the filthy language and assaulted the defacto complainant with wooden stick. Thereby, the Law Enforcing Agency registered a case against the accused persons.

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



4. Perusal of the grounds raised by the learned counsel for the petitioners would show that there are no merits in the grounds raised by the learned counsel for the petitioner to quash the charge sheet against them. Further, perusal of the charge sheet would show that there are specific allegations as against the petitioner. The grounds raised in the petition have to be gone into in a full fledged trial. Therefore, this Court is not inclined to quash the calender case and the criminal original petition is liable to be dismissed.

5. Accordingly, this Criminal Original Petition is dismissed. The learned Judicial Magistrate, No.II, Ramanathapuram is directed to dispose of the case in C.C.No.27 of 2019, within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate, No.II,
Ramanathapuram.
- 2.The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.MUTHUSAMY, Advocate, SR.No.60933

Cr1.O.P.No.5458 of 2019
11.04.2019

DSS

KK/SAR/24.05.2019/ 2P- 5C