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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Cr1.O.P. [MD] No. 5947 of 2019

and

Cr1.M.P. (MD) Nos. 3826 and 3827 of 2019

Muthukumar : Petitioner/Accused No.2

Vs.

1.State rep by

The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District,
Crime No.642 of 2010

: 1st Respondent/Complainant

2.Mohamed Syed Ali

: 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the impugned charge sheet in C.C.No.139 of 2015 on the file of the learned Judicial Magistrate Court No.II, Kanyakumari and quash the same as illegal as far as the petitioner is concerned.

For Petitioner : Mr.G.Aravinthan

For R1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1.Side)

ORDER

The present petition is filed to quash the charge sheet in C.C.No.139 of 2015 against the petitioner.

2. The case of the prosecution is that the petitioner along with two others demanded excessive parking charges from the defacto complainant and when he refused to give the same, the petitioner abused him and the co-accused has put the defacto complainant under extreme fear to force him to part with higher parking charge as they demanded originally. However, when other drivers in the parking lot arrived in the place, all the accused were said to have taken to their feet.

3. The learned counsel for the petitioner made certain submissions, most of which pertains to his line of defence, which he can adequately take before the trial Court during trial.

4. In the end this Court does not want to interfere with the charges now framed. Accordingly, this Criminal Original Petition is dismissed. However, this Court now directs the trial Court to



complete the trial and dispose of the matter on or before 31.07.2019. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar ()

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// True Copy //

Sub Assistant Registrar (CS)

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To

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

+1CC TO MR.G.ARAVINTHAN, Advocate Sr. No. 63215

Crl.O.P.[MD]No.5947 of 2019
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DB (CO)

TR (30.05.2019) 2P 5C