



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Cr1.O.P.(MD)No.1547 of 2017

&

Cr1.M.P.(MD)Nos.1278 & 1279 of 2017

1.A.Saroja
2.Ammavasi
3.Marudupandi

... Petitioners

Versus

1.The Sub-Inspector of Police,
Usilampatti Taluk Police Station,
Usilampatti,
Madurai District.

2.Veeranan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the Charge Sheet in C.C.No.43 of 2016 on the file of the District Munsif-cum-Judicial Magistrate Court, Usilampatti, Madurai District, and quash the same.

For Petitioners : Mr.A.Haja Mohideen

For R1 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.43 of 2016, on the file of the District Munsif-cum-Judicial Magistrate Court, Usilampatti, Madurai District.

2.The grievance of the petitioners/A1 to A3 is that already there is a civil dispute pending between the petitioners and the second respondent and only as a counter-blast, the present complaint has been lodged by the second respondent against the petitioners. That apart, at the time of alleged occurrence, the third petitioner was not in Station and he is working in the State of Maharashtra and he has been falsely implicated in this case. Therefore, the present Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.43 of 2016, pending on the file of the District Munsif-cum-Judicial Magistrate Court, Usilampatti, Madurai District, against the petitioners.

3.The learned Additional Public Prosecutor appearing for the first respondent, on instructions, submitted that already the trial has commenced and the matter is posted for examination of P.W.1 on 28.08.2019.



4. On perusal of the materials, it could be seen that a specific overt act has been attributed against the petitioners and also a *prima facie* case has also been made out against them and the trial also now commenced.

5. In view of the abovesaid circumstances, I find no merit in the Criminal Original Petition and the same is liable to be dismissed. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

To

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

+1cc to Mr. A. HAJA MOHIDEEN, Advocate, SR.No. 68527

Crl.O.P. (MD) No. 1547 of 2017
12.06.2019

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KK/SAR/24.06.2019/2P-5C

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