



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Original Jurisdiction)

Monday, the Fifteenth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL MP(MD) Nos.6003 and 6004 of 2019

IN

CRL OP(MD) No.19855 of 2018

R. PRABAKARAN

... PETITIONER/RESPONDENT IN BOTH CASES

Vs

1 THE INSPECTOR OF POLICE
B-1, VILAKKUTHOON POLICE STATION,
MADURAI CITY AND DT.
CR.NO.1017 OF 2017

... 1ST RESPONDENT/COMPLAINANT

2 MANKANDAN

... 2ND RESPONDENT/DEFACTO COMPLAINANT

Prayer in CRL MP(MD) . 6003/ 2019 :

Criminal Miscellaneous Petition is filed under Section 482 of Criminal Procedure Code praying this Hon'ble Court to amend the CC No.80 of 2017 on the file of the Judicial Magistrate No.I, Madurai instead of CC No.13 of 2017 on the file of the Judicial Magistrate No.I, Madurai in the order passed by this Honble Court in Crl OP No.19855 of 2018 dated 02.11.2018.

Prayer in CRL MP(MD) . 6004/ 2019 :

Criminal Miscellaneous Petition is filed under Section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of extension of the time regard to the order passed in Crl OP(MD) No.19855 of 2018 dated 02.11.2018, on the file of this Honble Court.

Prayer in CRL OP(MD) . 19855/ 2018 :

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying this Hon'ble Court to call for the records in C.C.NO.13 of 2017 pending before the Judicial Magistrate NO.1, Madurai in Crime nO.1017 of 2017 and quash the same as illegal.

**Order**

Criminal Miscellaneous Petition are coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.M.PRISCILLA JANCHY, Advocate for the petitioner and of Mr.K.Suyambulinga Bharathi, Government Advocate (Criminal Side) on behalf of the 1st Respondent and of M/s.P.Tamilarasi, Advocate for the 2nd Respondent, the court made the following order:-

The criminal original petition has been filed to quash the criminal proceedings in C.C.No.13 of 2017 pending on the file of the learned Judicial Magistrate No.I, Madurai. Since the matter has been settled between the parties, this Court, by an order dated 02.11.2018, quashed the criminal proceedings on payment of cost of Rs.500/- to the credit of District Siddha Medical Officer, CCRI, Periyakulam, within a period of one week from the date of receipt of a copy of this order.

2. The present petitions have been filed seeking to amend the Criminal Case No.80 of 2017 on the file of Judicial Magistrate No.I, Madurai instead of Criminal Case No.13 of 2017 on the file of Judicial Magistrate No.I, Madurai and for extension of time for payment of cost.

3. The learned counsel for the petitioner would submit that the correct number of criminal case is C.C.No.80 of 2017, but due to oversight, the criminal case number is wrongly mentioned as C.C.No.13 of 2017 and it is only a bona fide mistake. In the above circumstances, the criminal case number has to be necessarily corrected.

4. The learned Government Advocate (Crl.side) would submit that the correct criminal case number is only 80 of 2017.

5. Considering the facts and circumstances of the case, time already granted by this Court is extended by two weeks from the date of receipt of a copy of this order.

6. The Registry is directed to carry out necessary amendment in the Crl.O.P.(MD).No.19855 of 2018 and issue fresh order copy.

7. These Miscellaneous Petitions are ordered accordingly.

Sd/-

Assistant Registrar (CO)

// True Copy //



TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI

2 THE INSPECTOR OF POLICE
B-1, VILAKKUTHOON POLICE STATION,
MADURAI CITY AND DISTRICT

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADIRAS HIGH COURT,
MADRAI.

ORDER

IN

CRL MP (MD) Nos.6003 and
6004 of 2019

IN

CRL OP (MD) No.19855 of 2018

Date :15/07/2019

akv

JMN(22.08.2019) 3P : 4C