



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.5952 of 2019

and

Crl.M.P. (MD) Nos.4042 & 4043 of 2019

Jannathul Fridhouse

... Petitioner

Vs.

V.Rajkumar Moses,
Assistant Commissioner of Customs,
Customs Division,
Tuticorin.

.. Respondent

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records and quash the proceeding in C.C.No.5 of 2018 on the file of the learned Additional Chief Magistrate, Madurai.

For Petitioner : Mr.A.R.L.Sundaresan, Senior Counsel
for Ms.A.L.Ganthimathi

For Respondent : Mr.C.Arul Vadivel @ Sekar
Special Public Prosecutor

O R D E R

This petition has been filed to quash the proceedings in C.C.No.5 of 2018 on the file of the learned Additional Chief Magistrate, Madurai.

2.Heard the learned counsel appearing for the petitioner and the learned Special Public Prosecutor for the respondent.

3.The learned Special Public Prosecutor submitted that in C.C.No.5 of 2018, the trial Court already commenced the trial and on the side of the prosecution all the witnesses were examined, except the Investigating Officer. He further submitted that in fact the petitioner filed a petition to re-call and cross-examine the witnesses viz., P.Ws.1 to 3 and it is pending.

4.Recording the submission made by the learned Special Public Prosecutor, at this stage, the quash petition cannot be considered.

<https://hcservices.ecourts.gov.in/hcservices/>



Hence, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to raise all the points before the trial Court, during the trial. Consequently, connected M.Ps are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Additional Chief Magistrate,
Madurai.

2.The Assistant Commissioner of Customs,
Customs Division,
Tuticorin.

+1 CC to M/s.AL.GANTHIMATHI, Advocate(SR-16517[I]dated 27/09/2019)

+1 CC to Mr.C.ARUL VADIVEL@SEKAR, Advocate (SR-89893[F] dated
27/09/2019)

Crl.O.P.(MD).No.5952 of 2019
26.09.2019

Ls

VB(21.10.2019) 2P 5C