



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.3521 of 2018

and

Cr1.M.P. (MD) Nos.1662 and 1663 2018

WEB COPY

1.Duraisingh Rabinson Durairaj
2.Annabai
3.Durairaj
4.Epsyboy @ Epsy Mettil Rani
5.Babu @ Chandra Babu
6.Jansi
7.Mercy
8.Lisy
9.Ruban
10.Stephen
11.Mary

... Petitioners/Accused Nos.1 to 11

Vs

1.The Inspector of Police,
All Women Police Station,
Kuzhithurai,
Kanyakumari District
Crime No.10 of 2007

...1st Respondent/Respondent

2.Sheeja

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in C.C.No.160 of 2008 on the file of the Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District in crime No.10 of 2007 on the file of the Inspector of Police, All Women Police Station, Kuzhithurai, Kanyakumari District and quash the same.

For Petitioner : Mr.A.Uthayakumar

For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (Cr1. Side) for R1

For R2 : No appearance

O R D E R

This petition has been filed to quash the C.C.No.160 of 2008 on the file of the Judicial Magistrate No., Kuzhithurai, Kanyakumari District in crime No.10 of 2007 on the file of the Inspector of



Police, All Women Police Station, Kuzhithurai, Kanyakumari District as against the petitioners.

2.The learned Government Advocate (criminal side) would submit that in this case, the trial has been commenced and P.Ws.1 to 9 were examined as prosecution witnesses and the case is posted for further witnesses.

3.This Court find no merits in the grounds raised by the petitioners to quash the criminal proceedings. The grounds raised in the petition have to be gone into in a full fledged trial. Moreover, as submitted by the learned Government Advocate (criminal side), in this case, trial has been commenced and P.Ws.1 to 9 were examined. Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.

4.Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petitions are also dismissed. However, since the case is of the year 2008, the learned Judicial Magistrate No.1, Kuzhithurai is directed to dispose of the case, within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Judicial Magistrate No.1, Kuzhithurai.

2.The Inspector of Police,
All Women Police Station,
Kuzhithurai, Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.A.UTHAYA KUMAR, Advocate SR-86743.

Order made in
CRL.O.P (MD) No.3521 of 2018
13.09.2019

CS(24.09.2019) 2P 5C