



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP (MD) No.7370 of 2015

and

MP (MD) Nos.1 & 2 of 2015

WEB COPY

1.Thangamari

2.Vijay

3.Murugan

... Petitioners/Accused Nos.1 to 3

Vs.

1.The State, rep.by

The Inspector of Police,

Sankarankovil Town Police Station,

Tirunelveli District. ...1st Respondent / Complainant

2.Muneeswari

...2nd Respondent /1st informant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the proceeding in C.C No.1165 of 2014 pending on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District and quash the same.

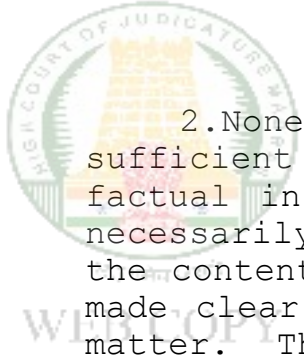
For Petitioners : Mr.Pitchai Muthu

For Respondents : Mr.A.Robinson,
Government Advocate (crl.side) for R1

Mr.R.J.Karthick for R2

ORDER

The petitioners herein are facing trial in C.C No.1165 of 2014 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District. The defacto complainant is the second respondent herein. Her case is that she parted with a sum of Rs.1,50,000/- believing the words of the petitioners that they would secure public employment for her. The petitioners did not secure any public employment as originally promised. That made the second respondent to lodge information before the Sankarankovil Town Police Station. Crime No.480 of 2013 was registered for the offences under Sections 294(b), 420 and 506(ii) IPC. The police investigated the complaint and filed final report. Cognizance of the offence was taken in C.C No.1165 of 2014. To quash the same, this criminal original petition has been filed.



2. None of the grounds set out in the memorandum of grounds are sufficient to invoke the inherent powers of this Court. They are factual in nature. The contentions and defences will have to be necessarily established before the trial court. Leaving open all the contentions and defences, this petition stands dismissed. It is made clear that this Court has not gone into the merits of the matter. The C.C is of the year 2014. Therefore, the learned Trial Magistrate is directed to conclude the trial on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

Skm

To

1. The Judicial Magistrate, Sankarankovil, Tirunelveli District.
 2. The Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai
- +1 CC to Mr.R.J. KARTHICK, Advocate (SR-91012[F] dated 03/10/2019)

Cr1 OP(MD)No.7370 of 2015
and
MP(MD)Nos.1 & 2 of 2015
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VB(13.12.2019) 2P 5C