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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.11.2019

CORAM :

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

Crl.O.P.(MD)No.10478 of 2018
and
Cr.M.P.(MD)Nos.4691 & 4692 of 2018

1.Ghulam Khadar

2.Naseer Ahmed

... Petitioners/A1 & A2

Vs.

1.The Inspector of Police,
All Women Police Station,
Sivakasi,
Virudhunagar District.
(Crime No.10/2009)

... 1st Respondent/Complainant

2.Noorool Hidayat Beevi

... 2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records pertaining to the Charge Sheet in C.C.No.54/2018 on the file of the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District and quash the same.

For Petitioners : Mr.A.Kannappan

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

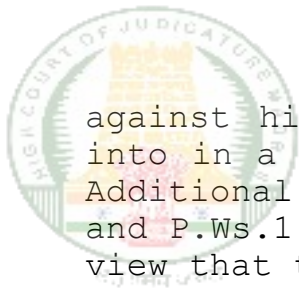
For R2 : Mr.M.Saravanan

O R D E R

This petition has been filed to quash the proceedings in C.C.No.54/2018 on the file of the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District.

2.The learned Government Advocate (Crl.Side) would submit that in this case, the trial has been commenced and P.Ws.1 to P.W.12 were examined as prosecution witnesses.

3.It is seen from the records that no ground is raised by the learned counsel for the petitioner to quash the criminal proceedings



against him. The grounds raised in the petition have to be gone into in a full fledged trial. Moreover, as submitted by the learned Additional Public Prosecutor, in this case, trial has been commenced and P.Ws.1 to P.W.12 were examined. Therefore, this Court is of the view that this criminal original petition is liable to be dismissed.

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4. Accordingly, this criminal original petition is dismissed. However, considering the year of the case, the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District, is directed to dispose of the case, within a period of six months from the date of receipt of a copy of this order. The petitioner is at liberty to raise all the grounds before the trial Court. consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

Dss

To

- 1.The Judicial Magistrate No.I,
Sivakasi,
Virudhunagar District.
- 2.All Women Police Station,
Sivakasi,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.SARAVANAN, Advocate (SR-97256[F] dated 11/11/2019)

Cr1.O.P. (MD) No.10478 of 2018
and
Cr.M.P. (MD) Nos.4691 & 4692 of 2018
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VB(28.11.2019) 2P 5C