



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2019

CORAM:

WEB COPY

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

Crl.O.P.(MD) No.11588 of 2018

and

Crl.M.P(MD) No.5258 of 2018

The State Rep.by
The Sub Inspector of Police
Cumbum North Police Station ...Petitioner/Complainant
Vs.

S.K.Ramakrishnan ...Respondent/Accused (A1)

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the rejection of remand dated 06.06.2018 of the learned Judicial Magistrate, Uthamapalayam in Crime No.299 of 2018 filed by the petitioner and allow the above petition.

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

For Respondents : Mr.D.Samuel Gunasingh

ORDER

This petition has been filed to set aside the rejection of remand dated 06.06.2018 of the learned Judicial Magistrate, Uthamapalayam in Crime No.299 of 2018 filed by the petitioner and allow the above petition.

2.The petitioner arrested the respondent in Crime No. 299 of 2019 registered for the offences under Sections 147,341,342,506(ii) of IPC and Section 67 of Information Technology Act, 2000. After arrest the petitioner produced the respondent before the learned Magistrate for remand and the said remand was rejected by the learned Magistrate for the reason that the petitioner did not produce any materials or records to prove the allegations made in the complaint. Further the learned Magistrate did not find any *prima facie* materials for arresting the respondent and rightly rejected the remand of the respondent.

3. Therefore this Court finds no infirmity or illegality in the order passed by the learned Magistrate. Hence the Criminal Original Petition stands dismissed. Consequently connected miscellaneous



petition is also closed. However, the petitioner is directed to complete the investigation and file final report before the concerned court within a period of twelve weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate, Uthamapalayam
2. The Sub Inspector of Police
Cumbum North Police Station
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court

Cr1.O.P.(MD) No.11588 of 2018
and
Cr1.M.P(MD) No.5258 of 2018
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nsn(CO)
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