



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.11.2019**

CORAM:

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

Crl.O.P. (MD) No. 17567 of 2018

and Crl. M.P. (MD) Nos. 7789 & 7790 of 2018

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Muthu @ Muthulakshmi

...Petitioner/A2

Vs.

1. The State Rep by
the Inspector of Police,
Chinnemanur Police Station,
Theni District.
(Crime No. 532 of 2015)

2. Veerapathiran

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the impugned charge sheet in STC No. 5744 of 2015 on the file of the learned Judicial Magistrate Court, Uthamapalayam, Theni District and quash the same.

For Petitioners : Mr.V. Manikandan
For Respondent-1 : Mr.R.Anandaraj,
Additional Public Prosecutor

ORDER

This petition has been filed to quash the impugned charge sheet in STC No. 5744 of 2015 on the file of the learned Judicial Magistrate Court, Uthamapalayam, Theni District.

2. Today, when the matter is taken up for hearing, the learned Government Advocate (Crl. Side) would submit that based on a complaint lodged by the second respondent, the first respondent has registered a crime No. 532 of 2015 and also a counter complaint has been registered and after completion of investigation and filed final report the same has been taken in cognizance as C.C. No. 17 of 2018 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District. Thereafter, they clubbed together and now the trial commenced and prosecution has examined P.W.1 to P.W.3 and the matter has been posted for further evidence.

3. Considering the submission made by the learned Government Advocate(Crl.Side), the prayer sought for by the petitioner cannot be granted at this stage, since already trial commenced. Accordingly, this Criminal Original Petition is dismissed. However, the trial Court is directed to complete the trial, within a period of Six months from the date of receipt of a copy of the order in ST.C. No. 5744 of 2015 and C.C. No. 17 of 2018. The personal



appearance of the petitioner before the trial Court is dispensed with, except the date on which, the trial Judge insisted the petitioner for his appearance. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar(CS)

ksa

To

1. The Judicial Magistrate,
Uthamapalayam, Theni District.
2. The Inspector of Police,
Chinnemanur Police Station,
Theni District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No. 17567 of 2018

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SMA/17/12/19/2P/4C