



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P. (MD) No.17849 of 2017

and

CrI.M.P(MD) Nos.11646 & 11647 of 2017

Syed Sulthan Alavudeen

... Petitioner/ Accused

-vs-

S.Gnana Nithi @ Raja

... Respondent/ Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records of the proceedings in S.T.C.No.1298 of 2017 on the file of the Judicial Magistrate, Nilakottai, Dindigul District and quash the same.

For Petitioner : Mr.S.Pakalavan

For Respondent : Mr.Sheik Abdullah

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in S.T.C.No.1298 of 2017 on the file of learned Judicial Magistrate, Nilakottai, Dindigul District, against the petitioner.

2.The various grounds raised by the learned counsel for the petitioner are all factual in nature and the same requires appreciation of evidence in the course of the trial and the said exercise cannot be done by this Court in exercise of its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioner to raise all the grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law. This Court does not want to interfere with the proceedings at this stage.

3. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in S.T.C.No.1298 of 2017, on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District within a period of three



(3) months from the date of receipt of copy of this order.
Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (co)

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// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Judicial Magistrate,
Nilakottai,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.O.P. (MD) No.17849 of 2017
24.10.2019

VB(14.11.2019) 2P 3C