



WEB COPY

Crl.O.P.(MD).No.7007 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.7007 of 2017

and

Crl.M.P.(MD) Nos.4753 & 4754 of 2017

Manikandan

... Petitioner/Sole Accused

vs.

1) State rep by

The Inspector of Police,
Vandalur Police Station,
Madurai District.

(Crime No.37 of 2014)

... 1st Respondent/Complainant

2) P.Ganesan

... 2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records relating to the Charge Sheet in S.T.C.No.547 of 2016, pending on the file of the Judicial Magistrate, No.II, Usilampatti, Madurai District and quash the same.

For Petitioner

: Mr.P.Senguttuarasan

For R1

: Mr.S.Chandrasekar,

Additional Public Prosecutor

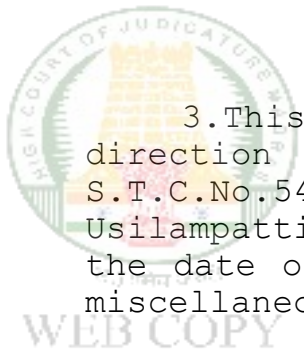
For R2

: Mr.T.Poovanalingam

O R D E R

This Criminal Original Petition has been filed to call for the records in S.T.C.No.547 of 2016 on the file of Judicial Magistrate, No.II, Usilampatti, Madurai District and quash the same in respect of Petitioner concerned.

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.547 of 2016 on the file of Judicial Magistrate, No.II, Usilampatti, Madurai District within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate, No.II,
Usilampatti, Madurai District
2. The Inspector of Police,
Valandur Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P. (MD) .No.7007 of 2017

Dated:
17.10.2019

CS (07.11.2019) 2P 4C