



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.4915 of 2020

and

Crl.M.P. (MD)No.2839 of 2020

1.Saibudeen @ M.Mohammed Saibudeen
2.Jalaludeen
3.Jamaludeen
Petitioners 1 to 3 Rep.through their
Power Agent Sirajuddin

... Petitioner

-vs-

1.The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District,
Crime No.127 of 2017.

... 1st Respondent/Complainant

2.Syedhu Ali

... 2nd Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records in C.C.No.1386 of 2019 on the file of the learned Judicial Magistrate No.II, Padmanabhapuram and quash the same as devoid of merits.

For Petitioner: Mr.A.Haja Mohideen

For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

O R D E R

The petitioners have filed this Criminal Original Petition for quashing the impugned proceedings in C.C.No.1386 of 2019 under Section 294(b), 326, 324 and 506(2) of IPC.

2.The learned counsel for the petitioners reiterated the contentions set out in the memorandum of grounds.

3.I am of the view that these contentions will have to be established only before the Court below in a regular trial. I refrain from considering the matter on merits. Leaving open the



petitioners' defence and contentions, this Criminal Original Petition stands dismissed.

4.Taking note of the over all facts and circumstances of this case, the personal appearance of the petitioners before the Court below is dispensed with. Ofcourse, the petitioners will have to represent through their counsel. The petitioners have to appear when specifically directed to do so by the learned Trial Magistrate. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

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Sub Assistant Registrar(CS)

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To

1.The Judicial Magistrate No.II, Padmanabhapuram.

2.The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District,

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.HAJAMOHIDEEN, Advocate (SR-12569[F]
dated 19/03/2020)

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NR(29.05.2020) 2P 5C