



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P. (MD) No.4797 of 2020

and

Cr1.M.P. (MD) Nos.2758 and 2760 of 2020

Pushparaj ... Petitioner / Sole Accused

-vs-

1.State represented by the Inspector of Police,
Ammapatti Police Station,
Virudhunagar District.
(Crime No.29/2018) ... 1st Respondent / Complainant

2.V.Jothimurugan ... 2nd Respondent / Defacto Complainant

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records relating to C.C.No.173 of 2018, pending on the file of the Judicial Magistrate Court No.II, Sattur and quash the same.

For Petitioners : M/s.P.Kaliyarasi Bharathi

For R1 : Mr.A.Robinson
Government Advocate (Cr1.side)

O R D E R

This Criminal Original Petition has been filed for quashing the impugned proceedings in C.C.No.173 of 2018 on the file of the learned Judicial Magistrate No.II, Sattur.

2.The learned counsel for the petitioners reiterated all the contentions set out in the memorandum of grounds. They are not however, sufficient to invoke my inherent powers under Section 482 of Cr.P.C., as the contentions are rather factual in nature. The petitioner has to necessarily establish his defence before the Court below in regular bail.



3. Therefore, leaving open the petitioner's contentions and defence in the trial, this Criminal Original Petition is dismissed. However, taking note of the over all facts and circumstances of this case, the learned Judicial Magistrate NO.II, Sattur, is directed to conclude the case on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

4. The personal appearance of the petitioner before the Court below stands dispensed with. Ofcourse, the petitioner has to appear before the Court below, on those occasions when he is directed to be present. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate Court No.II, Sattur.

2. The Inspector of Police,
Ammapatti Police Station,
Virudhunagar District.

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

+1 CC to M/s.P.KALAIYARASI BHARATHI, Advocate (SR-12234[F] dated 18/03/2020)

Crl.O.P. (MD) No.4797 of 2020

18.03.2020

pnn

SDS (03.06.2020) 2P-5C