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CRL OP (MD) .Nos.17831 and 22704 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 15/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN
CRL OP(MD) .Nos.17831 and 22704 of 2016
and
Crl.M.P (MD) Nos.8878 and 11873 of 2016

1.Rathinasabapathi

...Petitioner in Crl.O.P (MD) No.17831 of 2016

2.Venkateswari

...Petitioner in Crl.O.P (MD) No.22704 of 2016

Vs

1.The Inspector of Police,,
Keelavalavu Police Station,
Madurai District.
(In Crime No.103/2013)

...1st Respondent/Complainant
in both Crl.O.Ps.

2.Dhanushkodi,
S/o.Vellaipanaiyan,
West Street, Koddukampatti,
Melur Taluk,
Madurai District.

...2nd Respondent/Defacto
Complainant in both Crl.O.Ps.

COMMON PRAYER: These Criminal Original Petitions has been filed under Section 482 of Criminal Procedure Code, to call for records relating to the charge sheet in C.C.No.4 of 2014 on the file of the Judicial Magistrate Court, Melur, quash the same.

In both petitions:

For Petitioner

(in Crl OP(MD) No.17831/2016): Mr.M.Subash Babu, Advocate.

For Petitioner

(in Crl OP(MD) No.22704/2016): Mr.S.Mahendrapathy

For R1

: Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)
-(in both petitions)

For R2

: Mr.D.Sadiq Raja-(in both petitions)



O R D E R

These petitions have been filed to quash the proceedings in C.C.No.4 of 2014 on the file of the Judicial Magistrate Court, Melur, as against the petitioners, having been taken cognizance for the offence under Sections 406 of 420 of IPC.

2.After advancing elaborate arguments, the learned counsel appearing for the petitioners seeks permission of this Court to withdraw this petition.

3.The learned Government Advocate (Crl.Side) would submit that now the case is posted for trial.

4.In view of the same, these Criminal Original Petitions are dismissed as withdrawn. However, as the case is pending from the year 2014, the learned Judicial Magistrate, Melur, is directed to proceed with the trial and complete the same within a period of three months from the date of receipt of a copy of this order. The petitioners are at liberty to raise all the grounds before the trial Court. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.The Judicial Magistrate,
Melur.

2.The Chief Judicial Magistrate,
Madurai.



CRL OP (MD) .Nos.17831 and 22704 of 2016

3.The Inspector of Police,,
Keelavalavu Police Station,
Madurai District.

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

+1 cc to Mr.T.C.S.Thillainayagam , Advocate SR.No.6455

ORDER
IN
CRL OP (MD) .Nos.17831 and 22704 of 2016
and
Crl.M.P (MD) Nos.8878 and 11873 of 2016
15.09.2020

NS (CO)
KM (23.09.2020) 3P 6C