



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2020

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.7018 of 2016

and

Crl.M.P. (MD)Nos.3536 and 3537 of 2016

WEB COPY

- 1.Robert,
Sub Inspector of Police,
Thisaiyanvilai Police Station,
Thisaiyanvilai,
Tirunelveli District.
- 2.Mathipaul,
Special Sub Inspector of Police,
Thisaiyanvilai Police Station,
Thisaiyanvilai,
Tirunelveli District.
- 3.Arivazhagan,
Head Constable,
Thisaiyanvilai Police Station,
Thisaiyanvilai,
Tirunelveli District.
- 4.Sivakumar,
Constable,
Thisaiyanvilai Police Station,
Thisaiyanvilai,
Tirunelveli District.

... Petitioners

Vs.

Siluvai Prakasam

... Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.70 of 2016 on the file of the Judicial Magistrate Court, Nanguneri and quash the same as illegal.

For Petitioners : Mr.N.Madhava Govindan
For Respondent : Mr.C.K.M.Appaji

O R D E R

The petitioners are shown as accused in C.C.No.70 of 2016 on the file of the learned Judicial Magistrate, Nanguneri, for the

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offences under Sections 342, 323, 325, 355 and 506(i) of I.P.C.

2.It is a private complainant instituted by the respondent. The learned counsel appearing for the petitioners reiterated the contentions set out in the memorandum of grounds. They are rather factual in nature. Therefore, I am of the view that the petitioners will have to necessarily establish their innocence before the Court below in a regular trial. They are not sufficient for invoking the inherent powers of this Court. Therefore, leaving open all their contentions and defences, this criminal original petition stands dismissed. The petitioners are police personnel. Therefore, their personal appearance before the Court is dispensed with. Of course the petitioners will have to be represented by their counsel when they are absent. The petitioners have to appear only when their presence is absolutely necessary and imperative. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

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/ /2020

Sub Assistant Registrar (CS)

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To

The Judicial Magistrate,
Nanguneri.

+1 CC to MR.C.K.M.APPAJI, Advocate (SR-2215[F] dated 21/01/2020)

+1 CC to MR.N.MADHAVAGOVINDAN, Advocate (SR-2225[F] dated 21/01/2020)

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