



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Original Jurisdiction)

Wednesday, the Twenty Ninth day of January Two Thousand and Twenty

PRESENT

The Hon'ble Mr. Justice G.R. SWAMINATHAN

CRL OP(MD). No.9243 of 2016

P. Karuppasamy Nadar

...Petitioner/1st Accused

Vs

Natarajan

...Respondent/Complainant

Prayer :-

Criminal Original Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to call for records and pass an order to quash the complaint filed by the respondent / complainant in C.C.No.98 of 2015 on the file of the Judicial Magistrate, Vilathikulam

ORDER:-

Criminal Original Petition is coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. O.Sivakumar, Advocate for the Petitioner and of Mr. M.M.Manivel Pandian, Advocate for the respondent, this Court made the following order:

This Criminal Original Petition has been filed for quashing the proceedings in C.C.No.98 of 2015 on the file of the learned Judicial Magistrate, Vilathikulam.

2.When the matter was taken up for hearing, the learned counsel appearing for the petitioner brought it to my notice that A4 in this case has been discharged. The case was taken on file in the year 2015.The discharge appears to have taken place on 03.03.2018. But the docket order produced by the learned counsel appearing for the petitioner is not all that clear. It is well settled that in a case of defamation the trial magistrate will not have the jurisdiction or power to discharge an accused.

<https://hcservices.equitynet.in/Services/> 3.The Registrar(Judicial) is directed to call for a



report from the learned Judicial Magistrate, Vilathikulam as to whether A4 in this case was actually discharged or not.

4.Call this case on 05.02.2020

WEB COPY

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

- 1 The Judicial Magistrate, Vilathikulam
- 2 The Chief Judicial Magistrate, Thoothukudi.

Copy to:

- 1.The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai=
- 2.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai
(To List the cases on 05.02.2020)

ORDER DATED : 29/01/2020
HEARING DATED : 05.02.2020

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ORDER
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CRL OP(MD) . No.9243 of 2016

Giving direction and etc.
as stated within.

KK/SAR/03.02.2020/2P-5C/