



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 08.12.2020

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.OP(MD)No.13262 of 2017

and

Crl.MP(MD)No.8984 of 2017

WEB COPY

1.Alagumalai
2.Muthaiah Pasumpon
3.Sakthi Kumar : Petitioners/A2 to A4

Vs.

1.State represented by
The Inspector of Police,
Thilagar Thidal Police Station,
Madurai.
(In Crime No.1161 of 2014) : R1/Complainant

2.Kumaran Sethpathi : R2/De-facto
Complainant

Prayer: Criminal Original Petition filed under section 482 of the Criminal Procedure Code, to call for the entire records of the charge sheet laid in CC No.1 of 2015 on the file of the Judicial Magistrate No.II, Madurai and quash the same as illegal against the petitioner.

For Petitioners : Mr.R.Karunanidhi

For 1st Respondent : Mr.K.Karmegam
Government Advocate
(Criminal side)

For 2nd Respondent : Mr.K.Prabhu

O R D E R

This Criminal Original Petition is filed seeking for a direction to quash the C.C No.1 of 2015 on the file of the Judicial Magistrate No.II, Madurai.

2.According to the prosecution, on 05.09.2015 after dismissal from the Madurai Tamil Sangam, all the accused persons, without getting any permission, entered into the above said Madurai Tamil Sangam computer room and verified the documents and when the same was questioned by the de-facto complainant, the accused persons scolded and also threatened the de-facto complainant with dire consequences.

<https://hcservices.ecourts.gov.in/hcservices/> the learned counsel appearing on either side.



4.The learned Government Advocate (Criminal side) appearing for the 1st respondent submitted that in the case in CC No.1 of 2015 on the file of the Judicial Magistrate No.II, Madurai, summons were sent for examination of the witnesses and at this stage, it is not necessary to quash the charge sheet filed in CC No.1 of 2015.

5.Per contra, the learned counsel appearing for the petitioners contended that now the petitioners want to conduct the case before the trial court and hence, suitable direction may be given to the trial court to dispose of the case within a short span of time. It is further submitted by the learned counsel appearing for the petitioners that now, the case in CC No.1 of 2015 is pending before the Special Judicial Magistrate No.II, Madurai.

6.Heard the learned counsel appearing for the 2nd respondent and he has no objection for giving direction to the trial court to dispose of the case in CC No.1 of 2015 within a time frame that may be fixed by this court.

7.Keeping in view of the above facts and also considering the submission made by the learned counsel appearing for the petitioners, this criminal original petition is disposed of with a direction to the trial court namely the Special Judicial Magistrate No.II, Madurai, to post the case in CC No.1 of 2015 on day today basis and dispose of the same purely on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

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/ /2020

Sub Assistant Registrar(CS)

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To

1.The Special Judicial Magistrate No.II,
Madurai.



2.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai.

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

+1 CC to Mr.R.KARUNANIDHI, Advocate (SR-25015[F] dated 10/12/2020
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CrI.OP(MD)No.13262 of 2017
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KM(29.12.2020) 3P 5C