



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 14.09.2020

CORAM

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

Cr1.OP(MD)No.15310 of 2017

and

Cr1.MP(MD)Nos.10177 and 10178 of 2017

Mrs.A.P.Chandramathi

: Petitioner/A3

Vs.

1.The Inspector of Police,
T.Kallupatti Police Station,
T.Kallupatti,
Madurai District.
(Crime No.2 of 2013)

: Respondent -1 /Complainant

2.Mrs.Kothaiammal

: Respondent-2/
De-facto Complainant

Prayer: Criminal Original Petition filed under section 482 of the Criminal Procedure Code, to call for the records pertaining to the Charge Sheet in CC No.99 of 2015 on the file of the District Munsif-cum-Judicial Magistrate, Peraiyur, Madurai District, in Crime No.1 of 2013, dated 02.01.2013 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.T.Lajapathi Roy

For 1st Respondent : Mr.R.Srinivasan
Government Advocate
(Criminal side)

For 2nd Respondent : Mr.C.Jeganathan

O R D E R

(Thro' VC)

This Criminal Original Petition is filed seeking for a direction to quash the charge sheet in CC No.99 of 2015 on the file of the District Munsif-cum-Judicial Magistrate, Peraiyur, Madurai.

2.When the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the 1st respondent submitted that in this case, before the trial court PW1 to PW3 were examined and the case is posted for examination of the remaining witnesses.

3.The above said fact is not disputed by the learned counsel appearing for the petitioner and as well as Mr.C.Jeganathan, who takes notice on behalf of the 2nd respondent.



4. Under the above circumstances, this court is of the considered view that at this stage, the relief sought for by the petitioner cannot be granted.

5. In view of the above fact, this criminal original petition is disposed of with a direction to the trial court namely the District Munsif-cum-Judicial Magistrate, Peraiyur, Madurai District, to dispose of the case in CC No.99 of 2015 purely on merits and in accordance with law, within a period of five months from the date of receipt of a copy of this order. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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To,

1. The District Munsif-cum- Judicial Magistrate,
Peraiyur, Madurai District.

2. The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.

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

+2 CC to Mr.T.LAJAPATHI ROY, Advocate (SR-17163[F]dated
16/09/2020)

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VB (29.09.2020) 2P 6C