



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 18.09.2020

CORAM

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

WEB COPY

Crl.OP(MD)No.8857 of 2017

and

Crl.MP(MD)Nos.5991 and 5992 of 2017

1.Smithalakshmi

2.Balasundaram

: Petitioners/A1 and A2

Vs.

1.The Inspector of Police,
E3 Anna Nagar Police Station,
Madurai Town,
Madurai.

(Crime No.2042 of 2015) : R1/Complainant

2.K.K.Kathaam

: 2nd Respondent/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 Spl. SC No.90 of 2016 on the file of the III Additional District and Sessions Judge, (PCR), Madurai,

For Petitioners : Mr.T.Lajapathi Roy

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

For 2nd Respondent : Mr.A.Mohamed Haneef

O R D E R

(Thro' VC)

This Criminal Original Petition is filed seeking for a direction to quash the charge sheet in Spl. SC No.90 of 2016 on the file of the III Additional District and Sessions Judge, (PCR), 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 most of witnesses were examined and now the case is posted for the examination of the Investigating Officer.

3.The above said fact is not disputed by the learned counsel appearing for the petitioners as well as the learned counsel appearing for 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 petitioners 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 III Additional District and Sessions Judge, (PCR), Madurai, to dispose of the case in Spl. SC No.90 of 2016 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 Petitions are closed.

Sd/-

Assistant Registrar (crl side)

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/ /2020

Sub Assistant Registrar(CS)

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To,

1. The III Additional District and Sessions Judge,
(PCR Court), Madurai.

2. The Inspector of Police,
E3 Anna Nagar Police Station,
Madurai Town, Madurai.

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

+1 CC to Mr.M.P. SENTHIL, Advocate (SR-17602[F] dated 21/09/2020)

+1 CC to Mr.T. LAJAPATHI ROY, Advocate (SR-17593[F] dated
21/09/2020)

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VB (30.09.2020) 2P 6C