



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2020

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.(MD)No.18774 of 2019

and

Crl.M.P.(MD)No.11011 of 2019

Marimuthu

... Petitioner/Sole Accused

Vs.

1.The State rep. by

The Inspector of Police

Sivagangai Town Police Station,

Sivagangai District.

...1<sup>st</sup> Respondent/Complainant

Crime No.139/2019

2.Praveen Venkatesh

...2<sup>nd</sup> Respondent/Defacto complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records relating to the charge sheet in S.T.C.No.1026 of 2019 on the file of the Judicial Magistrate No.I, Sivagangai and quash the same.

For Petitioner

: Mr.V.Kannan

For R1

: Mr.S.Chandrasekar

Additional Public Prosecutor

For R2

: Mr.A.Mohan

### **ORDER**

This Criminal Original Petition has been filed to quash the proceedings in S.T.C.No.1026 of 2019 on the file of the Judicial Magistrate No.I, Sivagangai.

2.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case with oblique motive. The respondent police conducted the investigation in a mechanical manner and filed the charge sheet as against the petitioner and hence, sought for quashment of the proceedings.

3.The learned Additional Public Prosecutor submitted that there are materials available to proceed with the case as against the petitioner herein and at the threshold, the criminal proceedings cannot be quashed and the charges framed against the petitioner has to be gone into a full-fledged trial. Hence, he prayed for dismissal



of the petition.

4.This Court is of the view that all the grounds can be raised before the trial Court and there is no merit in the quash petition.

5.Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ls

To:

- 1.The Judicial Magistrate No.I,  
Sivagangai .
- 2.The Inspector of Police  
Sivagangai Town Police Station,  
Sivagangai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to Mr.V.KANNAN, Advocate ( SR-4489[F] dated 03/02/2020 )

+1 CC to Mr.A.MOHAN, Advocate ( SR-4481[F] dated 03/02/2020 )

CrI.O.P.(MD)No.18774 of 2019  
31.01.2020

VB(17.02.2020) 2P 6C