

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 08.01.2020****CORAM:****THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA**Crl.O.P.(MD).No.19663 of 2019andCrl.M.P.(MD) Nos.11467 and 11468 of 2019

P.Kuttiraj

..Petitioner/Sole Accused

Vs.

The State Rep. by,

1.The Sub Inspector of Police,
Koomapatti Police Station,
Virudhunagar District.
(Crime No.39 of 2019)

2.Manimegala

..Respondents/

Complainant & Defacto Complainant

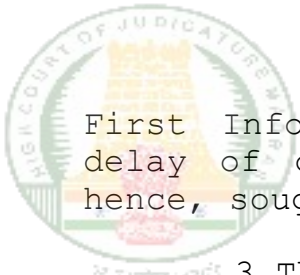
PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in connection with C.C.No.610 of 2019 on the file of the learned Judicial Magistrate No.I, Srivilliputhur, Virudhunagar District in connection with Crime No.39 of 2019 on the file of the Sub Inspector of Police, Koomapatti Police Station, Virudhunagar District and quash the same.

For Petitioner	: Mr.A.D.Ganeshamoorthi
For 1 st Respondent	: Mr.S.Chandrasekar
	Additional Public Prosecutor

O R D E R

This quash petition is filed to quash the criminal proceedings in C.C.No.610 of 2019 on the file of the learned Judicial Magistrate No.I, Srivilliputhur, Virudhunagar District in connection with Crime No.39 of 2019 on the file of the Sub Inspector of Police, Koomapatti Police Station, Virudhunagar District.

2.The learned counsel appearing for the petitioner would submit that since civil dispute is pending between the petitioner and the second respondent, the second respondent lodged a false complaint against the petitioner. He would further submit that the alleged offence said to have been happened on 11.02.2019 and the



First Information Report has been registered on 12.02.2019. The delay of one day has not been explained by the prosecution and hence, sought for quashment of the proceedings.

3. The learned Additional Public Prosecutor appearing for the first respondent police would submit that trial has commenced in C.C.No.610 of 2019 and the same has been posted on 26.02.2020 for examination of witnesses 1 to 3 in chief.

4. At this juncture, the learned counsel appearing for the petitioners would seek that a direction may be issued to the trial Court to complete the trial as early as possible.

5. 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.

6. Accordingly, this criminal Original petition is dismissed. However, the learned Judicial Magistrate No.I, Srivilliputhur, Virudhunagar District is directed to complete the trial in C.C.No.610 of 2019 within a period of Three Months, from 26.02.2020. Consequently, the connected criminal miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

To:

1. The Judicial Magistrate No.I,
Srivilliputhur, Virudhunagar District.
2. The Sub Inspector of Police,
Koomapatti Police Station, Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.D.GANESHA MOORTHY, Advocate (SR-1084[F]

Crl.O.P.(MD).No.19663 of 2019
and Crl.M.P.(MD) Nos.11467 and 11468 of 2019
08.01.2020

AL(CO)

TR(24.01.2020) 2P 5C