



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.01.2020

CORAM:

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

Crl.O.P(MD).No.19315 of 2019

and

Crl.M.P(MD).Nos.11331 and 11332 of 2019

WEB COPY

Packiya Seeli

... Petitioner/Sole Accused

Vs.

1.State rep., by Inspector of Police,
Eral Police Station,
Thoothukudi District.

2.K.Ramya Ananthi

... Respondents/Complainants

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records pertaining to the private complaint in Crl.M.P.No.5344 of 2019 pending before the learned Judicial Magistrate Court, Srivaikundam, Thoothukudi District and quash the same as illegal.

For Petitioners : Mr.J.Pandi Dorai

For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor (for R1)

Mr.T.A.Ebenezer (for R2)

O R D E R

This petition has been filed to quash the private complaint in Crl.M.P.No.5344 of 2019 pending before the learned Judicial Magistrate Court, Srivaikundam, Thoothukudi District.

2.The learned counsel for the petitioner would submit that earlier the second respondent had given a complaint before the first respondent police and the case was registered in Crime No.70 of 2017 for the offences under Sections 294(b) and 323 IPC. After conducting due enquiry, the case was referred as 'mistake of fact'. The first respondent police has filed a report before the Court on 13.10.2017. The protest petition has been filed almost after two years on 12.09.2019.

3.On the contrary, the learned counsel for the second respondent/complainant would submit that though the final report has been filed before the Court on 13.10.2017, the second respondent had



received the notice from the Court on 06.09.2019 and thereafter, she has approached the Court below.

4. In view of the above, there shall be a direction to the learned Judicial Magistrate, Srivaikundam, Thoothukudi District to expedite and conclude the proceedings in Crl.M.P.No.5344 of 2019 within a period of four months from the date of receipt of a copy of this order.

5. With the above direction, the Criminal Original Petition stands closed. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To

1.The Judicial Magistrate Court, Srivaikundam,
Thoothukudi District

2.The Inspector of Police,
Eral Police Station,
Thoothukudi District.

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

+1 CC to M/s.J.PANDI DORAI, Advocate (SR-1901[F] dated 20/01/2020)

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-2033[F] dated 20/01/2020)

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JMN(06.02.2020) 2P : 6C