



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2020

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

Crl.O.P. (MD)No.19426 of 2019

and

Crl.M.P. (MD)Nos.11402 and 11403 of 2019

1.A.Rajkumar
2.R.Vellathai
3.Gomathy
4.Alikaran
5.Santhanam

: Petitioners

Vs.

1.The State rep. by,
The Inspector of Police,
Serakulam Police Station,
Thoothukudi District.
(Crime No.30 of 2017)

2.Valli

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned Charge Sheet in C.C.No.84 of 2018 on the file of the Judicial Magistrate Court, Srivaikundam, Thoothukudi District and quash the same.

For Petitioners : Mr.V.M.Jegadeeshapandian

For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.84 of 2018 on the file of the learned Judicial Magistrate Court, Srivaikundam, Thoothukudi District.

2.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case with oblique motive. The first respondent police conducted the investigation in a mechanical manner and filed the charge sheet as against the petitioners 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 petitioners herein and at the threshold, the criminal proceedings cannot be quashed and the charges framed against the petitioners have to be gone into a full-fledged trial. Further, he would submit that the trial has also been commenced and the same has been posted



for appearance of the witnesses 1 to 3 and 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.

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5.Accordingly, this Criminal Original Petition dismissed. However, the Judicial Magistrate Court, Srivaikundam, Thoothukudi District, is directed to dispose of the case in C.C.No.84 of 2018 as expeditiously as possible. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

To

- 1.The Judicial Magistrate ,
Srivaikundam,
Thoothukudi District.
2. The Inspector of Police,
Serakulam Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.V.M.JEGADEESA PANDIAN, Advocate (SR-525[F] dated
07/01/2020)

Crl.O.P.(MD)No.19426 of 2019
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