



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.OP(MD)No.3574 of 2019

and

Crl.MP(MD)Nos.2026 & 2027 of 2019

Sherin Christoher ... Petitioner/Accused No.2
vs.

1.State rep by
The Inspector of Police,
Nithravilai Police Station,
Kanyakumari District. ... Respondent/Complainant

2.Burins Mary ... Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Charge Sheet in C.C.No.24 of 2016 on the file of the Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District and quash the same.

For petitioner : Mr.Christenson Jugunu
For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the Charge Sheet in C.C.No.24 of 2016, on the file of the Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District.

2.When the matter is taken up for hearing, the learned counsel for the petitioner would submit that in the First Information Report, the name of the petitioner was not mentioned. Due to the previous enmity, his name was included in the final report.

3. The learned Additional Public Prosecutor would submit that the trial process was commenced and P.W.1, 2 & 7 have been examined before the Trial Court.

4. Since the trial was commenced and the petitioner has not participated in the trial process, the petitioner is at liberty to make all the defence during the trial process.



5. With the above said liberty, this Criminal Original Petition is dismissed as infructuous. Consequently, the connected miscellaneous petitions are closed.

WEB COPY

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Judicial Magistrate No.II, Kuzhithurai,
Kanyakumari District.
- 2.The Inspector of Police,
Nithravilai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,

Cr1.OP(MD)No.3574 of 2019
and

Cr1.MP(MD)Nos.2026 & 2027 of 2019
12.11.2021

TSK(CO)
KB(29.11.2021) 2P 4C