



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1 OP (MD)No.11225 of 2021

and

Cr1 MP (MD)No.5732 of 2021

WEB COPY

Gopinath

... Petitioner/Accused No 1

vs.

1.The State of Tamil Nadu,
Rep.by Sub Inspector of Police,
District Crime Branch,
Thoothukudi,
Thoothukudi District.

...Respondent-1/Complainant

2.S.Moorthi

... Respondent-2/ Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.Pc, to call for the records relating to the impugned charge sheet in C.C No.1549 of 2017 on the file of the Judicial Magistrate No.IV, Thoothukudi and to quash the same as illegal.

For Petitioner : Mr.Ajith Geethan.A.

For Respondent : Mr.T.Senthilkumar,

Additional Public Prosecutor for R1

ORDER

This original petition has been filed to quash the proceedings in c.C No.1549 of 2017 on the file of the Judicial Magistrate No.IV, Thoothukudi. The learned counsel for the petitioner reiterated all the contentions set out in the memorandum of grounds.

2.I am of the view that these are all factual matters that will have to be necessarily established only in a regular trial. Therefore, leaving open all the contentions and defence, this criminal original petition stands dismissed. Considering the facts and circumstances of the case, the personal appearance of the petitioner is dispensed with before the court below. The court below shall not insist the personal appearance of the petitioner herein unless it is necessary or imperative. Consequently, connected miscellaneous petition is closed.

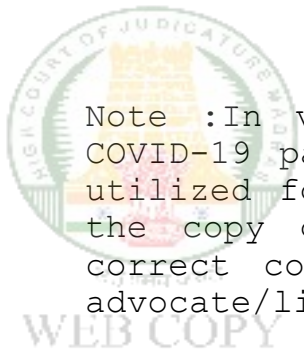
Sd/-

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.IV, Thoothukudi.
- 2.The Sub Inspector of Police,
District Crime Branch,
Thoothukudi, Thoothukudi District.

Copy to

The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

Cr1 OP (MD) No.11225 of 2021
and
Cr1 MP (MD) No.5732 of 2021
06.12.2021

VR (CO)
KB (24.12.2021) 2P 4C