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CRL.O.P.(MD)NO.13912 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD)No.13912 of 2021

and

Crl.MP(MD)Nos.7229 & 7230 of 2021

Sankar

... Petitioner / Accused No.4

Vs.

1. The Inspector of Police,
All Women police station,
Musiri,
Trichy District.
(Crime No.9 of 2019)

... 1st Respondent / Complainant

2. Revathi

... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in C.C.No.105 of 2021 on the file of the Judicial Magistrate, Musiri and quash the same against the petitioner alone and as illegal.

For Petitioner : Mr.K.Arunraj

For R-1 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

* * *

O R D E R

The petitioner herein is figuring as fourth accused in C.C.No.105 of 2021 on the file of the Judicial Magistrate, Musiri.

2. The defacto complainant is the second respondent herein. It is a matrimonial complaint. The petitioner is neither the husband of the defacto complainant nor the relative. The petitioner is a friend of the first accused. Though the contentions urged by the learned counsel appearing for the petitioner are quite persuasive, if I am to consider the same, that would involve probing the facts of the case. While exercising the jurisdiction under Section 482 of Cr.P.C., I cannot do so.

3. Therefore, leaving open all the contentions and defences of the petitioner, I direct the learned trial Magistrate to conclude the trial on merits and in accordance with law and dispose it of



within a period of four months from the date of receipt of a copy of this order.

4. This criminal original petition is disposed of. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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,
Musiri, Trichi District.
2. The Inspector of Police,
All Women police station,
Musiri, Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-34173[F] dated 11/11/2021)

Cr1.O.P.(MD)No.13912 of 2021
10.11.2021

_RD/PM (12.11.2021) 2P 6C