



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
CrI.O.P. (MD) No.16464 of 2021

WEB COPY

1.C.Vijaya

2.C.Kanthakumar

... Petitioners

Vs.

1.The State Represented by
The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.

... 1st Respondent/Respondent

2.P.Rajendran

... 2nd Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned order in CrI.M.P.No.4155 of 2021 dated 13.10.2021 on the file of the learned Judicial Magistrate Court No-IV, Madurai and set aside the same as illegal.

For Petitioners : Mr.I.Pinaygash

For R1 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition is filed seeking an order to set aside the impugned order passed in CrI.M.P.No.4155 of 2021 dated 13.10.2021 on the file of the learned Judicial Magistrate Court No-IV, Madurai.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the 1st respondent would submit that in compliance of the aforesaid order passed in CrI.M.P.No.4155 of 2021 dated 13.10.2021, a case in Crime No.817 of 2021 for the offences punishable under Sections 294(b), 323, 325 and 506(ii) of IPC has been registered against the petitioners herein.

3.The learned counsel appearing for the petitioners would submit that without following proper guidelines that has been issued by the Hon'ble Supreme Court, the impugned order was passed. Hence, the same is liable to be quashed and the matter must be remitted back to the trial Court for fresh consideration.



4.Since the First Information Report has been registered, liberty is granted to the petitioners to challenge the same, if they are so aggrieved.

5.With the aforesaid liberty, this petition stands disposed of as infructuous.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 IV,
Madurai.
- 2.The Inspector of Police,
Jaihindpuram Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD)No.16464 of 2021
27.10.2021

MGJ/PM(15.11.2021) 2P 4C