



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.20379 of 2021

and

Crl.M.P. (MD)Nos.11581 & 11583 of 2021

Sureshkumar

... Petitioner /
Sole Accused

Vs

1.The State rep. by
The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District,
(Crime No.176/2021)

... 1st Respondent / Complainant

2.Ponesakki

...2nd Respondent /
Defacto complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records relating to the impugned charge sheet in P.R.C.No.41 of 2021 pending on the file of the learned Judicial Magistrate, Srivaikundam and quash the same.

For Petitioner : Mr.S.Vishnuvardhan
For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the first respondent.

2. The petitioner is facing committal proceedings in P.R.C.No.41 of 2021 on the file of the Judicial Magistrate, Srivaikundam.

3. The learned counsel appearing for the petitioner reiterated all the contentions set out in the memorandum of grounds.

4. Though they are quite persuasive, since they are essentially factual in nature, under Section 482 of Cr.P.C., I am not in a position to consider the same. Leaving open the petitioner's defences and contentions, this Criminal Original Petition is dismissed. The learned Committal Magistrate is directed to conclude the committal proceedings in the next hearing date itself. When the matter is posted by the Sessions Court, the personal appearance of the petitioner before the Sessions Court stands dispensed with. The



petitioner has to of-course appear on all the essential and material dates and as and when it is required to do so by the learned trial Judge. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rmi

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

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21.12.2021

SK(CO)

GC(11.01.2022) 2P 4C