



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.14711 of 2017

and

Crl.M.P.(MD)No.9794 of 2017

Adam ... Petitioner/Accused (Sole)

Vs.

1. The Inspector of Police,
Ilayankudi Police Station,
Sivagangai District
(Crime No. 328 of 2014)

... Respondent/Complainant

2.N.Sahul Hameed

... Respondent/LW1

Prayer : Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records in C.C.No.136 of 2017 on the file of District Munsif Cum Judicial Magistrate, Ilayankudi, Sivagangai District and quash the same.

For Petitioner : Mr.C.Muthusaravanan

For Respondent 1 : Mr.M.Ganesan
Government Advocate (crl.side)

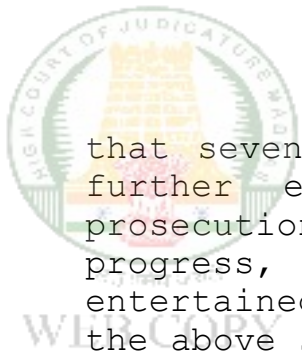
For Respondent 2 : Mr.O.Sivakumar

ORDER

This petition has been filed seeking for quashment of C.C.No.136 of 2017, pending on the file of District Munsif Cum Judicial Magistrate, Ilayankudi, Sivagangai District.

2.When the matter was taken up for hearing, a submission was made by the learned Government Advocate (criminal side) that before the trial Court seven witnesses were so far examined. So, registry was directed to call for a report from the concerned Court.

3.The District Munsif Cum Judicial Magistrate, Ilayankudi, Sivagangai District, by his letter, dated 11.03.2021, has informed



that seven witnesses were examined and the case is adjourned for further examination of the witnesses on the side of the prosecution. Since the examination of the witnesses are under progress, I am of the considered view that the petition cannot be entertained at this stage and the petition is to be dismissed on the above said ground.

4.A request made by the learned counsel for the petitioner that the petitioner is aged about 71 years and so his personal appearance before the trial Court may be dispensed. But, however, liberty is given to the petitioner to approach the trial Court for proper relief.

5.With this liberty, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (AS)

// 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 District Munsif Cum Judicial Magistrate, Ilayankudi, Sivagangai District.
2. The Inspector of Police, Ilayankudi Police Station, Sivagangai District
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD)No.14711 of 2017
16.03.2021

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<https://hcservices.courts.gov.in/hcservices/> AE/ (31/03/2021) 2P / 4C