



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM:

THE HON'BLE MRS.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD)No.1115 of 2020

WEB COPY

K.Chandran

... Petitioner/Petitioner

Vs.

1. Jeyachandran

2. Balaji

... Respondents/Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct to call for the records pertaining to the impugned return order dated 02.11.2019 passed by the Learned Judicial Magistrate No.2, Madurai District in Unnumbered Cr.M.P.in A.No.8127 of 2019 and set aside the same by allowing the instant Criminal Original Petition and Consequently direct the learned Judicial Magistrate No.2, Madurai District to number the Unnumbered Cr.M.P.in A.No.8127 of 2019 and dispose it on merits within the stipulated time period fixed by this Court.

For Petitioner

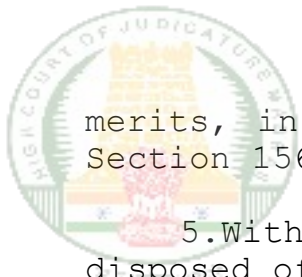
: Mr.J.Selvin Rajesh

O R D E R

This Criminal Original Petition has been filed to set aside the impugned return order dated 02.11.2019 passed by the learned Judicial Magistrate No.2, Madurai District, in Unnumbered Crl.M.P. in A.No.8127 of 2019 and direct the learned Judicial Magistrate No.2, Madurai District, to number the Unnumbered Crl.M.P.in A.No.8127 of 2019 and dispose it on merits.

2.The learned counsel for the petitioner challenged the impugned return order dated 02.11.2019, passed by the learned Judicial Magistrate No.2, Madurai, in Unnumbered Crl.M.P. in A.No.8127 of 2019, thereby direct the petitioner to produce community certificate of the respondents. Though, the petitioner has made allegations as against the respondents, with regard to scolding him with filthy language, using his caste name, the learned Magistrate, returned the petition, for not filing the community certificate of the respondents herein, while considering the complaint lodged for direction, to forward the same under Section 156(3)Cr.P.C.

4.It is a matter for investigation. There is sufficient material to attract some offence against the respondents. As such, the learned counsel for the petitioner is directed to represent the complaint and on receipt of the same, the learned Judicial Magistrate is directed to receive the complaint and pass order on



merits, in accordance with law, for forwarding the complaint under Section 156(3) of Cr.P.C..

5. With the above direction, this Criminal Original Petition is disposed of.

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Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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.II,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.1115 of 2020
21.02.2022

MGJ(04.03.2022) 2P 3C