



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1692 of 2022

and

Crl.M.P. (MD)Nos.1234 and 1235 of 2022

1.Thasnevis
2.Raja
3.Rubinston
4.Richard

... Petitioners/Accused

Vs.

Kanishton

... Respondent/Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the impugned private complaint made in C.C.No.23 of 2021 on the file of the learned Judicial Magistrate, Tiruchendur and quash the same.

For Petitioners : Mr.P.R.Prithviraj

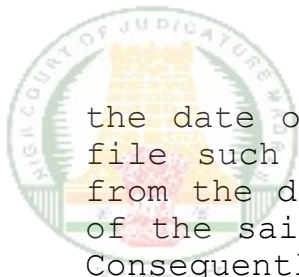
O R D E R

Heard the learned counsel appearing for the petitioners.

2.Considering the nature of relief to be granted, issuance of notice to the respondent is dispensed with.

3.The petitioners are shown as accused in C.C.No.23 of 2021 on the file of the learned Judicial Magistrate, Tiruchendur. It is a private complaint instituted by the respondent herein.

4.The case of the petitioners is that in respect of the very same occurrence, Crime No.237 of 2019 is pending on the file of the Tiruchendur Police Station. There the complainant is one Moses. Except the second petitioner, the other petitioners herein are figuring as accused. According to the petitioners, the private complaint as well as the police case are in respect of the very same occurrence. Hence, the procedure set out under Section 210 of Cr.P.C will have to be followed. Therefore, this Criminal Original Petition is disposed of by permitting the petitioners herein to file a petition before the Jurisdictional Magistrate under Section 210 of Cr.P.C. The petitioners' counsel states that within two weeks from



the date of receipt of a copy of this order, the petitioners would file such a petition. If the petition is filed within two weeks from the date of receipt of a copy of this order, till the disposal of the said petition, the impugned proceedings shall remain stayed. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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:

The Judicial Magistrate, Tiruchendur.

+1 CC to M/s.P.R.PRITHVIRAJ, Advocate (SR-3536[F] dated 02/02/2022)

Crl.O.P(MD)No.1692 of 2022

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