



Crl.O.P.(MD)No.2569 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2022

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2569 of 2021

S.Prabhu

... Petitioner

Vs.

1.P.Vijayan

2.V.Sanjeevi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records and set aside the order, dated 03.11.2020 made in Cr.M.P.No. Unnumbered of 2020 , on the file of the learned Judicial Magistrate No.VI, Madurai.

For Petitioner : Mr.C.Senthil Murugan

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., challenging the order, dated 03.11.2020 made in Cr.M.P.No. Unnumbered of 2020, on the file of the learned Judicial Magistrate No.VI, Madurai.

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2. The petitioner has filed a petition under Section 156(3) Cr.P.C and the learned Judicial Magistrate has returned the petition, dated 03.11.2020, alleging that the petitioner can prove his defence in the pending case in S.T.C.No.517 of 2019 and that there was no scope for filing the present complaint.

3.The learned counsel for the petitioner would submit that the Magistrate without numbering the petition, has passed the order under the guise of return. He would further submit that he is ready to represent the said petition and the learned Magistrate may be directed to pass an order in accordance with law.

4.Considering the submission made by the learned counsel for the petitioner, the petitioner is directed to represent the petition, which was returned on 03.11.2020 and on such representation, the learned Magistrate is directed to proceed in accordance with law.



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5. With the above direction, this Criminal Original Petition stands disposed of. Registry is directed to return the original papers to the petitioner, so as to enable him to represent the same before the concerned Court.

08.12.2022

Index : Yes / No
Internet : Yes / No
das

To

The Judicial Magistrate No.VI,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
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