



Crl.O.P.(MD)No.3069 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.3069 of 2020

and

Crl.M.P.(MD).Nos.1607 and 1608 of 2020

1.Durai Raj

2.Vijayalakshmi

3.Sethuraman

4.Jothilakshmi

... Petitioners/Accused No.1 to 4

Vs.

1.The Inspector of Police,
B4, Keerathurai Police Station (L & O),
Madurai City,
Madurai District.
In Crime No.372/2015

...1st Respondent/Complainant

2.Murugan

... 2nd Respondent /Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in C.C.No.1185 of 2019 pending before the learned Judicial Magistrate No.IV, Madurai, Madurai District and quash the same as illegal.

For Petitioners : Mr.R.Babu Jaganath

For R-1 : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor.

For R-2 : Mr.S.Muthukumar



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ORDER

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This Criminal Original Petition is filed challenging the charge sheet in C.C.No.1185 of 2019 pending on the file of the learned Judicial Magistrate No.IV, Madurai.

2. It is submitted by the learned counsel for the petitioners that on the complaint given by the second petitioner, a case in C.C.No.207 of 2019 is pending on the file of the same learned Judicial Magistrate against the second respondent herein and few others. In both the cases, the trial has commenced. In the instant case, the matter is posted to 02.02.2023 for examination of the doctor and all other witnesses have been examined.

3. The learned counsel for the petitioner fairly submits that since the trial is in advance stage, he would raise all the points raised in this quash petition before the Trial Court. However, he would request that the presence of the petitioners 2 and 4, who are ladies, be dispensed with before the Trial Court.

4. The request of the learned counsel for the petitioners is reasonable and hence, the appearance of the petitioners 2 and 4 are dispensed with before the Trial Court unless their appearance is required for any particular hearing for the progress of the trial.



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5. In view of the above, the learned Judicial Magistrate No.IV, Madurai is directed to dispose of both the cases in C.C.No.207 of 2019 and C.C.No.1185 of 2019 simultaneously and expeditiously and in any event, within a period of three (3) months from the date of receipt of a copy of this order.

6. With the above observations, this Criminal Original Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

12.12.2022

Index : Yes / No
Internet : Yes/ No
Lm

To

- 1.The Judicial Magistrate No.IV,
Madurai,
Madurai District.
- 2.The Inspector of Police,
B4, Keerathurai Police Station (L & O),
Madurai City,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

**CrI.O.P(MD).No.3069 of 2020
and
CrI.M.P.(MD).Nos.1607 and 1608 of 2020**

12.12.2022