



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.19645 of 2018

and

Crl.MP(MD)Nos.8965 & 8966 of 2018

1.Rev.Fr.Amaladhas
Valanoor Parish Priest,
St.Thresas Church,
Kanjampuram Post,
Kanyakumari District.

2.S.Wilson

3.Johnson

... Petitioners/Respondents

Vs.

1.Davy

... Respondent/Complainant

2.Chelladurai,
The Head Constable,
Kollemcode Police Station,
Kollemcode Post,
Kanyakumari District.

3.Murugan,
The Sub Inspector,
Kollemcode Police Station,
Kollemcode Post,
Kanyakumari District.

... Respondents/Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the complaint in C.C.No.2 of 2018 on the file of the Judicial Magistrate No.II, Kuzhithurai and quash the same as against the petitioners.

For Petitioners : Mr.S.C.Herold Singh

For R1 : No Appearance

For R2 & R3 : Mr.B.Nambi Selvan
Additional Public Prosecutor



O R D E R

This petition is filed seeking quashment of C.C.No.2 of 2018 on the file of the Judicial Magistrate No.II, Kuzhithurai.

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2. The learned counsel for the petitioners requested this Court to pass direction to the learned Judicial Magistrate No.II, Kuzhithurai, to dispose of the matter within a short time and prayed to dispense with the personal appearance of the petitioners before the Trial Court and does not press for quashment.

3. Considering the request made by the learned counsel for the petitioners and also considering the position of the petitioners, their personal appearance is dispensed with before the Trial Court, with the following conditions:-

They must appear before the Trial Court within 15 days from the date of receipt of a copy of this order and they shall file an undertaking affidavit that they will appear before the concerned Court as and when required, by affixing attested photo. they must engage a lawyer to represent them.

4. Further, the learned Judicial Magistrate No.II, Kuzhithurai, shall conclude the trial process within a period of five months from the date of receipt of a copy of this order. After completion of the trial, compliance report must be submitted to the Registry of this Court.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

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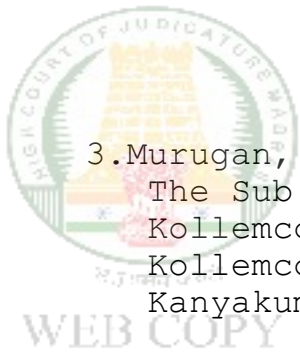
Sub Assistant Registrar(CS)

dss

To

1. The Judicial Magistrate No.II,
Kuzhithurai.

2. The Head Constable,
Kollemcode Police Station,
Kollemcode Post,
Kanyakumari District.



3.Murugan,
The Sub Inspector,
Kollemcode Police Station,
Kollemcode Post,
Kanyakumari District.

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

Copy to:

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-11013[F] dated
10/03/2022)

Crl.O.P. (MD)No.19645 of 2018 and
Crl.MP (MD)Nos.8965 & 8966 of 2018
09.03.2022

RD(17.03.2022) 3P 7C