



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P(MD)No.8435 of 2022

and

CrI.M.P.(MD).Nos.5701 and 5704 of 2022

Amaanulla

... Petitioner

Vs.

1.The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
(In Crime No.38 of 2020)

2.Jothi Stanislas

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the charge sheet in S.T.C.No.764 of 2020 on the file of the learned Judicial Magistrate, Eraniel and quash the same.

For Petitioner : Mr.K.Naveentharaja

For R-1 : Mr.B.Thanga Aravindh
Government Advocate (CrI.side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in **S.T.C.No.764 of 2020 on the file of the learned Judicial Magistrate, Eraniel.**

2.The learned counsel appearing for the petitioner would submit that the facts of the case are exactly similar to the case covered in the decision reported in **2018 2 LW (CrI) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District] dated 20.09.2018** and in the case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other** in batch of cases in **CrI.O.P(MD) No.7922 of 2019 dated 30.08.2019.**

3. The learned Government Advocate appearing for the respondent police would submit that the facts of the case are similar to the facts covered under the Judgment referred above.



4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent police.

5. Perused the materials on record.

6. The facts of this case is similar to the facts covered by the Judgment of this Court reported in **2018 2 LW (Crl) 606 [Jeevanandham and others vs. The Inspector of Police Velayuthampalayam Police Station, Karur District]** dated 20.09.2018 and in case of **Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and other in batch of cases in Crl.O.P(MD) No.7922 of 2019 dated 30.08.2019**. Accordingly, the proceedings in **S.T.C.No.764 of 2020 on the file of the learned Judicial Magistrate, Eraniel**, is hereby quashed insofar as the petitioner alone and the Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsg

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,
Eraniel.

2. The Inspector of Police,
Colachel Police Station,
Kanyakumari District.

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

Crl.O.P(MD)No.8435 of 2022 and
Crl.M.P.(MD).Nos.5701 and 5704 of 2022
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