



Crl.O.P.(MD) No.19121 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P (MD) No.19121 of 2022

and

Crl.M.P.(MD) No.12923 of 2022

S.Sujin Jose

...Petitioner

vs

**1.The Inspector of Police
Thuckalay Police Station,
Kanyakumari District.
Crime No.758 of 2015**

2.Sreeja @ Prinsa

...Respondents

**PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to call for the records in S.C.No.243 of 2017 on the file of the
learned Sessions Judge, Mahila Court, Nagercoil and quash the same.**

For Petitioner : Mr.R.J.Karthick

**For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor**



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ORDER

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This Criminal Original Petition has been filed to quash the Charge Sheet in S.C.No.243 of 2017 on the file of the learned Sessions Judge, Mahila Court, Nagercoil.

2.The learned Additional Public Prosecutor for the first Respondent would submit that this petition is not maintainable, as the trial had commenced and P.W1 and P.W2 had already been examined.

3.By way of rejoinder, the learned Counsel for the Petitioner would submit that P.W1 and P.W2 had turned hostile.

4.Since the trial had commenced, it is not a fit case for quashing of the Charge Sheet. Since P.W1 and P.W2 had also turned hostile, it is for the Trial Court to consider and dispose of the case at the earliest.

5.Accordingly, this Criminal Original Petition is closed with a direction to the learned Sessions Judge, Mahila Court, Nagercoil to dispose of the case in S.C.No.243 of 2017 within a reasonable period of two months



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from the date of receipt of a copy of this order. Consequently, connected

Miscellaneous Petition is closed.

Internet: Yes/No

22.11.2022

Index: Yes/No

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To

- 1.The Sessions Judge,
Mahila Court,
Nagercoil.
- 2.The Inspector of Police
Thuckalay Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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