



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.20684 of 2021

and

Crl.M.P.(MD)No.11784 of 2021

Veerapandi ... Petitioner/Accused No.2
Vs.

1.The State Rep by
The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(Crime No.115 of 2019) ... 1st Respondent/Complainant

2.Ananthan ... 2nd Respondent/Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records connected with the charge sheet in C.C.No.unnumbered of 2021 pending on the file of the learned Judicial Magistrate No.II, Sivagangai in respect of the FIR in Crime No.115 of 2019 on the file of the 1st respondent and quash the same so far as the petitioner is concerned as illegal.

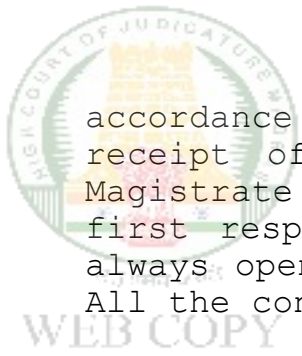
For Petitioners : Mr.K.Navaneetha Raja
For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1.
Mr.V.Malaiyendran for R2.

O R D E R

Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor for the first respondent and the learned counsel for the second respondent.

2.The petitioner challenges the final report filed by the first respondent.

3.It is fairly submitted that the protest petition filed by the defacto complainant is also pending consideration before the learned Magistrate. In these circumstances, it is only just and proper that the Court concerned takes the final call. Therefore, the learned Judicial Magistrate No.II, Sivagangai is directed to dispose of the protest petition filed by the defacto complainant on merits and in



accordance with law within a period of four weeks from the date of receipt of a copy of this order. While doing so, the learned Magistrate shall also take a call on the final report filed by the first respondent. If cognizance of the offence is taken, it is always open to the petitioner to move this Court again for relief. All the contentions of the petitioner are left open.

4. With this liberty to the petitioner and direction to the Court below, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 No.II,
Sivagangai.
- 2.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.20684 of 2021
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