



CrI.O.P.(MD) No.3312 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.3312 of 2024

and

CRL.M.P (MD) Nos.2628, 2631 and 3588 of 2024

1. Pragatheesh,
2. Gopalakrishnan,

... Petitioners

Vs

1. The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
Crime No.736/2021..

2. Sathasivan,

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the proceedings of STC No. 1922/2023, on the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District and Quash the same.



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For Petitioners : Mr.A.S.Abdul Kalam Azad
for M/s.Spicy Law Firm
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

The petitioners have filed this petition, seeking to quash the proceedings in charge sheet in S.T.C.No.1922 of 2023 on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. side) appearing for the first respondent.

3.It is reported that the first petitioner is working in abroad. It is up to the first petitioner to file necessary application to obtain order under Section 205 of Cr.P.C by satisfying the trial Court that he will be available for the trial.



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4. Though the petitioners have raised several grounds, this Court is of the opinion that it can be appreciated only during the trial. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioners to raise all these grounds before the trial Court, during trial. Consequently, connected miscellaneous petitions are closed.

04.04.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No

LR

To

1. The Inspector of Police,
Kottar Police Station,
Kanyakumari District.

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



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B.PUGALENDHI, J.

LR

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