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Crl.O.P.(MD)No.20550 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P(MD)No.20550 of 2024

and

Crl.M.P.(MD)Nos.12671 and 12672 of 2024

Jathar @ Jagin

... Petitioner

-Vs-

1.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
(In Crime No.31 of 2023)

2.Rajan

... Respondents

Prayer: Criminal Original Petition - filed under Section 528 of Bharatiya
Nagarik Shuraksha Sanhita, to call for the records in C.C.No.205 of 2023
pending on the file of the Judicial Magistrate No.I, Kuzhithurai and to
quash the same with respect to the petitioner.

For Petitioners	: Mr.A.Balakrishnan
For R1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to quash the case in
C.C.No.205 of 2023 pending on the file of the Judicial Magistrate No.I,
Kuzhithurai.



2.The petitioner is the second accused in C.C.No.205 of 2023 for the offence under Sections 341, 294(b), 324, 506 (ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. The contention of the petitioner is that the first and third accused are the parents of the petitioner. There is a dispute between the petitioner's family and the defacto complainant with regard to the property. In this regard a suit in O.S.No.170 of 2022 is pending before the District Munsif Court, Kuzhithurai. Further, the defacto complainant and his group had assaulted the petitioner and his mother. In this regard a case in Crime No.32 of 2023 has also been lodged and the same was charge sheeted in C.C.No.27 of 2023. The defacto complainant is the first accused in that case. In order to wreck vengeance, the defacto complainant has lodged the present complaint against the petitioner and his parents.

3.The learned counsel for the petitioner submits that the petitioner is the law student and he is going to complete the course shortly. The case filed against the petitioner would be an impediment to his enrolment as a Lawyer. Further, though larger relief is sought in this petition, now the petitioner restricts his prayer to dispose of the case as early as possible.



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4.Heard the learned counsel appearing on either side and perused the materials placed on record.

5.Considering the facts and circumstances of the case and also considering the fact that the dispute between the parties is civil in nature, without going into the merits of the matter, this Court directs the trial Court to complete the trial in both the cases within a period of six months from the date of receipt of the copies by the accused concerned in both the cases.

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

26.11.2024

Index : Yes/No

Internet : Yes/No

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To

1.The Judicial Magistrate No.I, Kuzhithurai

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

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

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M.NIRMAL KUMAR,J.

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