

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.11174 of 2015

and

M.P.Nos.1 & 2 of 2015

1.A.Velmurugan
2.A.Vijaya
3.C.Suriya
4.A.Manoharan

... Petitioners

Vs

1.State , Rep by
Inspector of Police,
All Women Police Station,
Chidambaram,
Cuddalore District.

2.S.Magalakshmi

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records pertaining to the charges and proceedings in C.C. No.24 of 2015 (in Crime No.8 of 2014) on the file of the Hon'ble District Munsif cum Judicial Magistrate Court, Portonvo, at Cuddalore district and quash the same.

For Petitioner : Mr.B.Gandhi

For Respondent : Mr.C.Emalias [R1]
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to call for the records pertaining to the charges and proceedings in C.C. No.24 of 2015 (in Crime No.8 of 2014) on the file of the Hon'ble District Munsif cum Judicial Magistrate Court, Portonvo, at Cuddalore district and quash the same.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3. On a reading of the complaint, it appears that there are sufficient allegations warranting investigation. Under such circumstances, this petition for quashing the final report is not sustainable. Hence, this petition is dismissed with liberty to the petitioner to raise all these issues before the Trial Court.

4. At this juncture, the learned counsel for the petitioner sought permission for dispensing with the personal appearance of A2, A3 and A4. Accepting the submissions, this Court directs the petitioners, to appear before the Trial Court, for receiving copies under Section 207 of Cr.P.C. for framing charges and for questioning under Section 313 of Cr.P.C., and on the date of judgment. For other hearings, the petitioners shall file a petition before the Trial Court that their counsel will cross-examine the witnesses without insisting for their presence and that they will not dispute the identity.

5. With the above directions, the Criminal Original Petition is dismissed. Consequently the connected miscellaneous petition in MP.No.1 is closed and M.P.No.2 is ordered accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ds

To

1. Inspector of Police,
All Women Police Station,
Chidambaram,
Cuddalore District.
2. The District Munsif cum Judicial Magistrate Court,
Portonvo, at Cuddalore District
3. -do- Through the Cheif Judicial Magistrate,
Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.B.Gandhi, Advocate Sr.28180

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SKV(CO)

Eu 22.06.15