

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.13080 of 2015

and

MP.Nos.1 and 2 of 2015

1.A.Nachammal
2.A.Ramasamy
3.A.Arumugam
4.A.Subramaniam
5.Leelavathy
6.Muthammal
7.Ramathaal
8.Rathinambal
9.N.Muthulakshmi
10.Selvi
11.Valarmathi
12.R.Rathinam
13.P.Dhanalakshmi
14.Balamani
15.K.C.Ponnusamy

... Petitioners/Accused

Vs

State represented by
the Inspector of Police,
Central Crime Branch,
Tiruppur, Coimbatore District

.. Respondent/Complainant.

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records to quash the charge sheet in No.1317 of 2008 filed by the complainant/respondent in connection with CC No.134 of 2015 on the file of Judicial Magistrate II, Tiruppur.

For Petitioners

:Mr.R.Chandrasekaran

For Respondent

:Mr.C.Emalias,

Additional Public Prosecutor

ORDER

Seeking a direction to call for the records to quash the charge sheet in No.1317 of 2008 filed by the complainant/respondent in connection with CC No.134 of 2015 on the file of Judicial Magistrate II, Tiruppur, the petitioners have come up with this petition.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

3.On a perusal of the final report, it is seen that the allegation against the first petitioner is that she is a part of the conspiracy with other accused for committing the offence narrated in the final report.

4.The learned Counsel for the petitioners submitted that the first petitioner is a innocent purchaser and she is not involved in any offence. This Court cannot go into in any dispute while dealing with the quash petitions under Section 482 of Cr.P.C. Hence, this petition is dismissed with liberty to the petitioners to raise all the points before the Trial Court.

5. At this juncture, the learned Counsel for the petitioners submitted that the first petitioner/accused is an old lady and her presence may be dispensed with. The first petitioner would present before the Trial Court for receiving the documents under Section 207 Cr.P.C., on the date of framing of charge, while questioning under Section 313 of Cr.P.C., and the date of judgment. For the other hearings, the first petitioner shall give an undertaking before the Trial Court that the counsel will cross examine all the witnesses in her absence and that she will not dispute the identity in the Trial Court. If such an affidavit is filed, the presence of the first petitioner/accused may be dispensed with, on the other hearings.

6.With the above observation, this Criminal Original Petition is dismissed. Consequently, M.P.No.1 of 2015 is closed and as far as M.P.No.2 of 2015 is concerned, it is closed with the above direction.

dn

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Judicial Magistrate II,
Tirupur.

2.The Chief Judicial Magistrate,
Coimbatore.

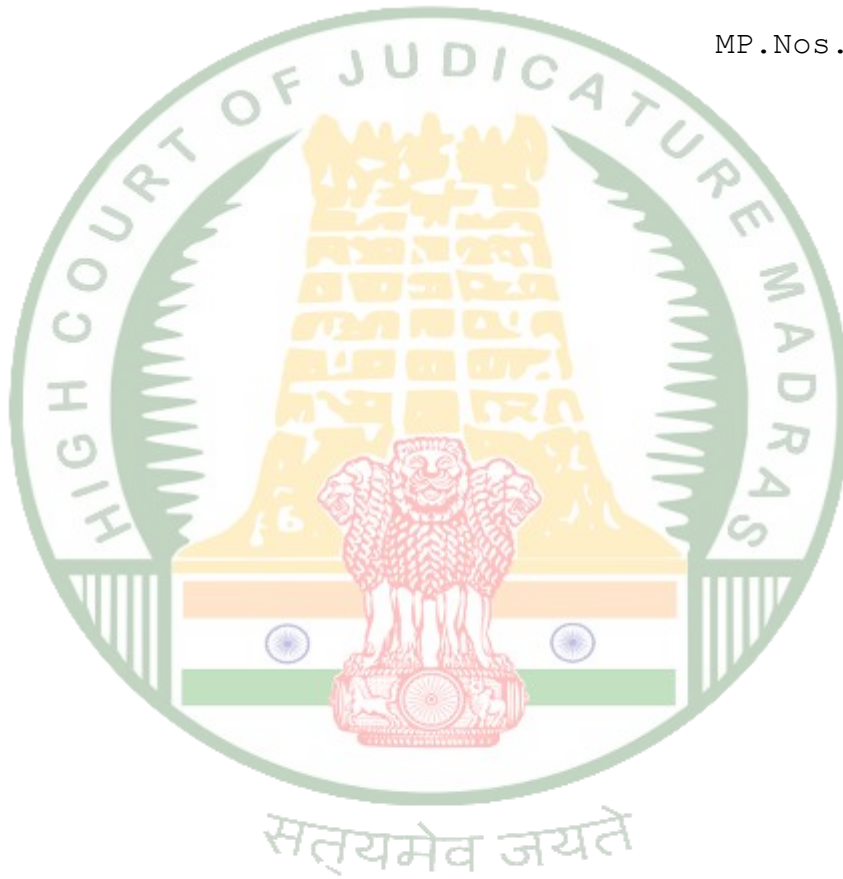
3.The Inspector of Police,
Central Crime Branch,
Tiruppur,
Coimbatore District

4.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.R.Chandrasekaran, Advocate SR 26043

Scd(co)
prk12/6

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