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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2015

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

CRL.O.P.(MD)No.3449 of 2015
and M.P.(MD) Nos.1 & 2 of 2015

Vimala Ali

.. Petitioner/ 2nd Accused

.. Vs ..

1.State rep. by
The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District
(Crime No.120 of 2014)
2. Samsudeen

.. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to call for the records relating to the charge sheet in S.C.No.167 of 2014 on the file of the Learned Additional District Court Cum Chief Judicial Magistrate, Nagercoil and to quash the same as illegal.

For Petitioner : Mr.V. Kannan
For Respondent-1 : Mrs.S.Prabha
Government Advocate(Crl. Side)
For 2nd Respondent : Mr. M. Suri
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O R D E R

The petitioner, who is the second accused seeks to quash the proceedings in S.C.No.167 of 2014 on the file of the Learned Additional District Court Cum Chief Judicial Magistrate, Nagercoil .

2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3. After arguing for some time, learned counsel for the petitioner submits that it would suffice, if the personal appearance of the petitioner before the trial Court is dispensed with.

4.In view of the same, this Criminal Original Petition is dismissed. Consequently, connected M.P.(MD) Nos.1 & 2 of 2015 are also dismissed. However, all the issues are left open to be raised before the Court below. Considering the submission made, personal appearance of the petitioner before the Court below is dispensed with until and unless the same is required. Learned Additional District Court Cum Chief Judicial Magistrate, Nagercoil is



directed to dispose of S.C.No.167 of 2014 within a period of six months from the date of receipt of a copy of this order.

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/True Copy/

Sd/-

Assistant Registrar(RTI)

Sub-Assistant Registrar

To

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

2.Learned Additional District Court Cum Chief Judicial Magistrate,
Nagercoil

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

+One cc to Mr.M.Suri, Advocate, SR.No.20431

+One cc to M/S.V.KANNAN, Advocate, SR.No.20285

trp

RL/6c - 30/4/2015

CRL.O.P.(MD)No.3449 of 2015
and M.P.(MD) Nos.1 & 2 of 2015