

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2016

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.No.1034 of 2016

and

Crl.M.P.Nos.8593 and 8594 of 2016

1.Samsudeen
S/o.Faukrudin

2.Naseera
W/o.Samsudeen

3.Haludeen
S/o.Samsudeen

... Petitioners/Accused 2 ,3 & 4

vs.

State of Tamil Nadu
represented by its
The Inspector of Police,
All Women Police Station,
Chidambaram.
Crime No.17 of 2013

... Respondent/Complainant

Criminal Revision filed under Section 397 and 401 Cr.P.C.
against the order of learned District Munsif cum Judicial
Magistrate, Portnovo at Madras, passed in Crl.M.P.No.3536 of
2014 in C.C.No.263 of 2013 on 16.06.2016.

For Petitioners: Mr.Vimal B.Vrimson

For Respondent: Mr.K.Madhan,
Government Advocate [Crl.side]

O R D E R

This revision arises against order of learned District
Munsif cum Judicial Magistrate, Portnovo at Madras, passed in
Crl.M.P.No.3536 of 2014 in C.C.No.263 of 2013 on 16.06.2016.

2. Petitioners/accused 2 to 4 face trial in C.C.No.263 of
2013 on the file of learned District Munsif cum Judicial
Magistrate, Portnovo at Madras, for offences u/s.498-A, 294(b)
and 506(ii) IPC. Petitioners moved Crl.M.P.No.3536 of 2014
seeking discharge, which came to be dismissed under the impugned
order. Hence, this revision.

3. Heard learned counsel for petitioners and learned Government Advocate [Crl.side].

4. Having perused Section 161(3) Cr.P.C statements and finding allegations therein against petitioners, this Court will not interfere with the order under challenge. Even so, considering the submissions of learned counsel for petitioners that accused 2 and 3 are father and mother of A1, this Court directs the trial Court to dispense with the personal appearance of accused 2 and 3 before it, upon their swearing to an affidavit informing their address for service, that they duly would be represented by their counsel on all hearing dates, that they would, at no instance, dispute their identity and that, they would appear before the trial court as and when required. Upon petitioners 2 and 3/accused 2 and 3 doing so, the trial court may seek the presence of petitioners 2 and 3/accused 2 and 3 before it, solely on the important hearing dates.

The Criminal Revision Case shall stand dismissed. Connected miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

gm

To

1.The District Munsif cum Judicial Magistrate,
Portnovo at Madras.

2.The Inspector of Police,
All Women Police Station,
Chidambaram.

3.The Public Prosecutor,
High Court, Madras.

+1 cC to Ms. Vimal B. Crimson, Advocate sr 63454.

Crl.R.C.No.1034 of 2016

SJ(CO)
SP(24/11/2017)