

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3217 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/accused seeking to quash the proceedings in C.C.No.196 of 2011 on the file of the Judicial Magistrate of First Class, Piler.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Sections 352, 353, 417, 452 and 506 Part – II I.P.C.
4. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the police filed a final report with a request to the learned Magistrate to treat the case as a false one. Later, respondent No.2 proceeded with the case by filing a protest petition and requested the learned Magistrate for taking cognizance of the case. As such, charges were framed for the offences punishable under Sections 352, 353, 417, 452 and 506 I.P.C. The truth or otherwise of the said charges can be ascertained only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.
5. After arguing for sometime, learned counsel for the petitioner while not pressing for the main prayer, confined his arguments only to the extent of dispensing with the presence of the petitioner before the trial Court.
6. Considering the facts and circumstances of the case and in view of the submission of the learned counsel, the presence of the petitioner before the trial Court is dispensed with except on the dates on which

the learned Magistrate insists for her appearance. The petitioner shall be properly represented through her counsel before the trial Court.

7. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

11.3.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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Date: 11.3.2016

AMD