

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.2326 of 2017
and Crl.M.P.Nos.1637 and 1638 of 2017

Jothi

... Petitioner

Vs

The State rep. by
The Inspector of Police
District Crime Branch
Dharmapuri District.
(Crime No.15/2015)

... Respondent

Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the complaint in C.C.No.243 of 2016 on the file of the learned Judicial Magistrate No.II, Dharmapuri and quash the same as far as the petitioners are concerned.

For Petitioner : Mr.V.Sakkarapani

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the criminal proceedings in C.C.No.243 of 2016 pending on the file of the learned Judicial Magistrate No.II, Dharmapuri.

2.The case of the petitioner is that an F.I.R. in Crime No.15 of 2015 came to be registered against the petitioner under Sections 406, 420 and 506(i) IPC on the allegation that she along with her husband had collected a huge sum from several persons on the pretext of getting job, but she failed to do so and thereby, swindled the amount. After due investigation, the respondent had filed the charge sheet on 25.02.2016 and the same was taken on file as C.C.No.243 of 2016 by the learned Judicial Magistrate No.II, Dharmapuri. Pending trial, the petitioner has come up with the present petition to quash the same.

3.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

4. Though the learned counsel for the petitioner raised very many grounds to quash the criminal proceedings initiated against the petitioner herein, this Court is not inclined to accept the same on the ground that the case is pertaining to job racketing, in which, huge sum is involved. Therefore, it is just and necessary to direct the learned Judicial Magistrate No.II, Dharmapuri, to proceed with the trial in C.C.No.243 of 2016 and dispose of the same on merits and as per law. However, the personal appearance of the petitioner before the trial Court is dispensed with, except as and when required by the trial Court.

5. With the above direction, the Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.II,
Dharmapuri.

2. The Inspector of Police,
District Crime Branch,
Dharmapuri District.

3. The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1cc to Mr.V.Sakkarapani, Advocate Sr.20927

Cr1.O.P.No.2326 of 2017
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