



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Tenth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.12185 of 2017

and

CRL MP(MD) Nos.8439 and 8440 of 2017

1 V.K.A.VIJAYARAJ

... PETITIONER / 1st ACCUSED

Vs

1 THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, NILAKKOTTAI,
DINDIGUL DISTRICT (CRIME NO.8 OF 2016)

(C.C.NO.262 OF 2016)

... 1st RESPONDENT / COMPLAINANT

2 RAJESHWARI

... 2nd RESPONDENT / DE-FACTO COMPLAINANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to call for the records relating to the case in C.C.NO.262 of 2016 on the file of the Judicial Magistrate, Nilakkottai and quash the same.

Prayer in CRL MP(MD). 8439/ 2017 :

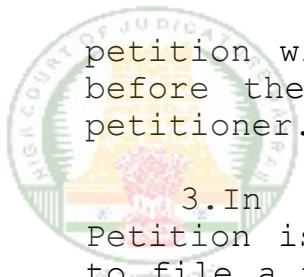
To stay all further proceedings in stay all further proceedings in C.C.No.262 of 2016 on the file of Judicial Magistrate, Nilakkottai pending disposal of the above Criminal Original Petition

Prayer in CRL MP(MD). 8440/ 2017 :

To dispense with the personal appearance of the petitioner in connection with C.C.No.262 of 2016 on the file of Judicial Magistrate, Nilakkottai pending disposal of the above Criminal Original Petition

ORDER : This petition coming on for admission upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.GUHAN Advocate, for the petitioner, and of Mr.K.ANBARASAN, Government Advocate(Crl.Side) on behalf of the respondent 1, the court made the following order:-

It is the most unfortunate case that the petitioner/husband has approached this Court challenging the C.C.No.262 of 2016 on the file of the learned Judicial Magistrate, Nilakkottai for the alleged offence under Sections 294(b), 498(A), 406, 506(i) I.P.C.



petition with liberty to file a petition under Section 205 Cr.P.C before the appropriate Court to dispense with appearance of the petitioner.

3.In view of the above submission this Criminal Original Petition is dismissed as withdrawn with liberty to the petitioner, to file a petition for dispense with his personal appearance before the learned Judicial Magistrate, Nilakkottai within a period of two weeks, and on such petition being filed the learned Judicial Magistrate shall dispose of the same within a period of four weeks, thereafter, after hearing the parties.

sd/-
10/10/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,
NILAKKOTTAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NILAKKOTTAI,
DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

JAM/23.10.17/PM-PN/SAR 2/ 2p-5c

ORDER
IN
CRL OP(MD) No.12185 of 2017
and
CRL MP(MD) Nos.8439 and 8440 of 2017
Date :10/10/2017