



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. (MD) No.2412 of 2017

and

CrI.M.P. (MD) Nos.1898 and 1899 of 2017

A.Dharani

: Petitioner/Sole Accused

Vs.

M/s.Cholamandalam Investment & Finance Ltd.,
(Home Finance),
No.2, G.V.Towers, 3rd Floor,
Melakkal Main Road,
Madurai-26,
Through its Manager and Power Agent,
Mr.Muthuvirumathevan

: Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to call for the records in S.T.C.No.203 of 2016 on the file of the Fast Track Court No.1 (Judicial Magistrate Level), Madurai and quash the same.

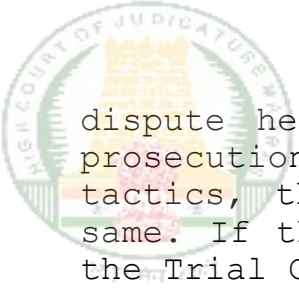
For Petitioner : Mr.N.Anantha Padmanabhan

O R D E R

Since there are *prima facie* materials for the trial to proceed, this Court is of the view that this is not a fit case to quash the prosecution as such. Hence, this petition stands dismissed.

2. At this juncture, learned counsel appearing for the petitioner submits that the presence of the petitioner before the Trial Court may be dispensed with.

3. Accepting the submission, this Court directs the petitioner to appear before the Trial Court for collecting the final report and other papers under Section 207 Cr.P.C., at the time of framing charges, for questioning under Section 313 Cr.P.C. and on the day of judgment. On all other dates, if the petitioner files an application under Section 317 Cr.P.C., undertaking that she will not



dispute her identity and that her counsel will cross-examine the prosecution witnesses in her absence without adopting dilatory tactics, the Trial Court may liberally consider and entertain the same. If the petitioner adopts any dilatory tactics, it is open to the Trial Court to insist upon her presence.

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4. The petitioner is further directed to furnish a bond under Section 88 Cr.P.C. without sureties. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

The Judge, Fast Track Court No.1
(Judicial Magistrate Level),
Madurai.

SML
TE/MR : 20/03/2017 : 2P/2C

Order made in
Crl.O.P.(MD)No.2412 of 2017 and
Crl.M.P.(MD)Nos.1898 and 1899 of 2017
Dated:- 08.03.2017