

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.12593 of 2018 & Crl.M.P. Nos.6764 and 6765 of 2018

1 Lawrence D. Cruz
2 BarnaBas D. Cruz
3 Jenova Marry
4 Caleena
5 Salome Rita

Petitioners

vs.

Sylve

Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to call for the records relating to D.V.C. No.7/2017 on the file of the Judicial Magistrate Court No.II, Hosur and quash the same.

For petitioners Mr. M. Simon Jeyakumar

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to D.V.C. No.7/2017 of the file of the Judicial Magistrate Court No.II, Hosur and quash the same.

2 The respondent initiated proceedings in D.V.C. No.7 of 2017 before the Judicial Magistrate Court No.2, Hosur, against the petitioners herein, challenging which, the petitioners are before this Court.

3 Heard the learned counsel for the petitioners.

4 It is seen that the petitioners have entered appearance before the Trial Court and the interim application preferred by the respondent has also been dismissed by the Trial Court on 29.12.2017. Since trial has already commenced, this Court is of the view that this is not a fit case in which the proceedings can be quashed at this stage. However, the petitioners 2 to 5 are directed to appear before the Trial Court and execute a bond for Rs.5,000/- each without sureties under Section 88 Cr.P.C. undertaking that they will not dispute their identity; that the counsel nominated by them will cross-examine the witnesses without adopting dilatory tactics and that they will appear

before the Trial Court whenever required, on intimation to the counsel nominated by them. Thereafter, the presence of the petitioners before the Trial Court is dispensed with, until further orders of the Trial Court.

With the above directions, this Criminal Original Petition stands dismissed. CrI.M.P. No.6764 of 2018 stands closed.

Sd/-
Assistant Registrar(CS V)

//True copy//

Sub Assistant Registrar

cad

To

1 The Inspector of Police (L & O)
N.1 Royapuram Police Station
Royapuram, Chennai 600 013

2 The Public Prosecutor
Madras High Court
Chennai - 600 104

CrI.O.P. No. 12593 of 2018

GN(09/05/2018)



WEB COPY