

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2018

CORAM

THE HONOURABLE MR.JUSTICE P. RAJAMANICKAM

Cr1.O.P No.16230 of 2013
and
M.P.Nos.1 and 2 of 2013

Ramalakshmi

... Petitioner

Vs

1. The Inspector of Police,
All Women Police Station,
Thirupur District,
(Crime No.14 of 2011)

2. Karpakam

... Respondents

Prayer: Criminal Original Petition filed under 482 of Cr.P.C to call for the records in respect of the charge sheet in C.C.No.237 of 2012 on the file of Judicial Magistrate No.I, Udumalpet and to quash the same.

For Petitioner : Ms.N.Premalatha
for Mr.R.Nalliyappan

For Respondent No.1 : Mr.T.Shunmuga Rajeswaran
Government Advocate (Cr1.Side)

ORDER

This petition has been filed by the third accused to quash the proceedings against her in C.C.No.237 of 2012 on the file of Judicial Magistrate No.I, Udumalpet.

2. The learned Government Advocate (Cr1.Side) has submitted that during pendency of this petition, P.Ws.1 to 14 were examined before the Trial Court and after closing evidence on the side of the prosecution, the accused were questioned under Section 313 of Cr.P.C and now the case is posted for examination of the witnesses on the side of the accused and hence, he requests to dismiss this petition as infructuous.

3. The learned counsel for the petitioner has fairly conceded that already evidence on the side of the prosecution

has been recorded and now the case is posted for taking evidence on the side of the accused.

4. In the similar situation, the Hon'ble Supreme Court, in Amarchand Agarwala -vs. Shanti Bose and another, AIR 1973 SC 799, has held that since several prosecution witnesses had been examined, the High Court should decline to interfere with those proceedings. Hence, this Court is not inclined to allow this petition.

5. In the result, this petition is dismissed. Consequently, connected M.P.Nos.1 and 2 of 2013 are closed.

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

mtl/vv
To

1. The Judicial Magistrate No.I,
Udumalpet
2. The Inspector of Police,
All Women Police Station,
Thirupur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Nalliyappan, Advocate SR.No.61303

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GMV (23/10/2018)

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