



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.10.2018
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.17292 of 2015
and
M.P.(MD).Nos.1 & 2 of 2015

1.S.Suresh Kumar
2.N.Sudhaharan
3.Thangamma

.. Petitioners/Accused

Vs.

1.The State rep. by Inspector of Police,
All Women Police Station, Colachel,
Kanyakumari District. .. 1st Respondent/Complainant

2.Lalitha .. 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the charge sheet in C.C.No.53 of 2015 on the file of the Judicial Magistrate No.II, Kuzhithurai and quash the same.

For Petitioners	: Mr.S.C.Herold Singh
For Respondents	: Mr.A.P.G.Ohm Chairma Prabhu for R1 Government Advocate (Crl. Side) Mr.A.Thiruvadikumar for R2

ORDER

This petition has been filed to quash the proceedings in C.C.No.53 of 2015 on the file of the Judicial Magistrate No.II, Kuzhithurai.

2.The learned Government Advocate (Crl. Side) would submit that the trial has been commenced and PW1 & PW2 were examined before the trial Court.

3.It is seen from the records that no ground is raised by the learned counsel for the petitioner to quash the criminal proceedings against him. The grounds raised in the petition have to be gone into in a full fledged trial. Moreover, trial has been commenced and PW1 & PW2 were examined. At this stage, this Court is of the view that this criminal original petition is liable to be dismissed. However, the learned counsel for the petitioner seeks the personal appearance of the petitioners before the trial Court may be dispensed with. Hence, the personal appearance of the petitioners before the trial Court is dispensed with, except the dates of hearing, on which, the learned Judicial Magistrate insisted upon the petitioner to appear before the Court.



4. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Judicial Magistrate No. II,
Kuzhithurai.

2. The Inspector of Police,
All Women Police Station, Colachel,
Kanyakumari District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr. S.C. Herold Singh, Advocate, SR.No. 91929

+1CC to Mr. A. Thiruvadikumar, Advocate, SR.No. 91945

Cr1.O.P. (MD) .No. 17292 of 2015
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ES/SKN/RSK/SAR 3/19.11.2018/2P/6C