



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P(MD).No.5930 of 2018 and
Crl.M.P(MD).Nos. 2844 and 2845 of 2018

1.Hameedha Banu
2.Raja Mohamed
3.Beer Mohamed
4.Aneesh

... Petitioners

Vs.

1. The Inspector of Police,
Kadayanallur Police Station,
Thirunelveli District.

2. Siraj Uthavla

... Respondents

Prayer: This petition is filed under Section 482 Cr.P.C to call for the records in PRC.No.51 of 2017 on the file of the learned Judicial Magistrate, Tenkasi and quash the same.

For Petitioners	:	Mr.M.Jegadeesha Pandian
For respondent No.I	:	Mr.Prabu Ramachandran
		Government Advocate (Crl. Side)

O R D E R

The petitioners have filed this petition seeking to quash of PRC.No.51 of 2017 on the file of the learned Judicial Magistrate, Tenkasi.

2. The offences with which the petitioners have been charged are under Sections 294(b),506(i) IPC and Section 3 of TN Public Property (Prevention of Damage and Loss) Act, 1992. It is seen that the case which was pending in committal stage in PRC.No.51 of 2017, is now committed to the Sessions Court. Therefore, it is not possible for this Court to quash the proceedings as such. However, this Court is of the view that the following relief can be given to the petitioners:

(a) *The petitioners shall be asked to appear to answer the charges, at the time of examination under Section 313 Cr.P.C and at the time of pronouncement of*



Judgment.

(b) Except these three occasions, on all other occasions, the personal appearance of the petitioners shall not be insisted upon by the Trial Court. However, the petitioners must be represented through their counsel.

(c) The petitioners are entitled to raise all their contentions, including the contentions raised in this Criminal Original Petition at the time of trial.

3. With the above relief regarding personal appearance, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Tenkasi
2. The Inspector of Police,
Kadayanallur Police Station,
Thirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.JEGADEESHA PANDIAN, ADVOCATE IN SR No. 61174

TRP

TE/SV-MMS/SAR-1 : 03/05/2018 : 2P/5C

Crl.O.P(MD).No.5930 of 2018 and
Crl.M.P(MD).Nos. 2844 and 2845 of 2018
13.04.2018