



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2018

CORAM:

**THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN**

**Crl.O.P(MD) .No.5881 of 2018**

**and**

**Crl.M.P(MD) .Nos. 2810 and 2811 of 2018**

R. Harisindhuja

.... Petitioner/Accused 4

Vs.

1. The State rep. by  
The Inspector of Police,  
All Women Police Station,  
Srirangam, Trichy District.

2. R. Hema

... Respondents

Prayer: This petition is filed under Section 482 Cr.P.C to call for the records in pertaining to the proceedings in C.C.No. 5 of 2018 on the file of the Judicial Magistrate Additional Mahila Court, Trichy and to quash the charge sheet as illegal.

For Petitioner : Mr.S.C. Herold Singh  
For respondent No.1 : Mr. Prabu Ramachandran  
Government Advocate (Crl. Side)

O R D E R

The petitioner has filed this petition seeking quash of C.C.No.5 of 2018 on the file of Judicial Magistrate Additional Mahila Court, Trichy.

2. The offences with which the petitioner has been charged are under Sections 498(A), 406, 294(b), 506(i) and Section 4 of Prohibition of Harassment of Woman Act, 2002. It is seen that there are some averments against the petitioner in the complaint. 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 petitioner:

(a) *The petitioner 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 petitioner shall not be insisted upon by the Trial Court.*



However, the petitioner must be represented through his counsel.

(c) The petitioner is entitled to raise all her contentions, including the contentions raised in this Criminal Original Petition at the time of trial.

3. With the above observations, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate Additional Mahila Judge, Trichy
2. The Inspector of Police,  
All Women Police Station,  
Srirangam, Trichy District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

Trp

VB/KK/SAR2/25.04.2018/2P/4C

Cr1.O.P(MD).No.5881 of 2018 and  
Cr1.M.P(MD).Nos. 2810 and 2811 of 2018  
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