



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Seventeenth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL MP (MD) No.3716 of 2018

IN

CRL OP (MD) No.8257 of 2018

PARASAKTHI

... PETITIONER/PETITIONER/
SOLE ACCUSED

Vs

1 STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
SATTUR TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO. 265 OF 2017

... RESPONDENT/RESPONDENT/
COMPLAINANT

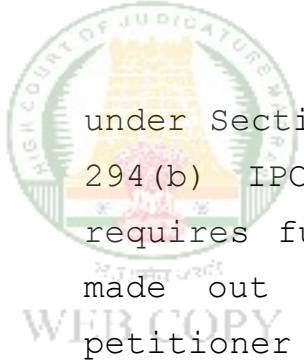
2 GURUSAMY

... RESPONDENT/RESPONDENT/
DEFACTO COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to dispense with the personal appearance of the Petitioner in C.C.No. 217 of 2017 on the file of the Learned Judicial Magistrate No.II, Sattur, Virudhunagar District Pending disposal of Crl.O.P. and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.A.UTHAYAKUMAR, Advocate for the petitioner and of M/S.A.P.G.OHM CHAIRMA PRABHU, Government Advocate (Crl.Side) on behalf of the 1st Respondent, while admitting the Crl.OP., the court made the following order:-

It is submitted by the learned counsel for the petitioner and the occurrence took place in front of the defacto complainant's house, which was not to the annoyance of others and as such offence



under Section 294(b) IPC is not made out. In the absence of Section 294(b) IPC, the other offences are also doubtful. This aspect requires further deliberations. However, since the petitioner has made out a prima facie case, the personal appearance of the petitioner is dispensed with for the present.

sd/-
17/05/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
SATTIR. VIRUDHUNAGAR DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
- 3 THE SUB INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION, VIRUDHUNAGAR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.A.UTHAYAKUMAR, Advocate SR.No.8964

ORDER
IN
CRL MP (MD) No.3716 of 2018
IN
CRL OP (MD) No.8257 of 2018
Date :17/05/2018

PK/PN/GSR/22.05.2018 : 2P/6C