



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.04.2018
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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Crl.O.P. (MD) .No.17206 of 2013
and
M.P. (MD) .No.1 and 2 of 2013

1.Kulanthaisamy
2.Palanisamy
3.Karthikeyan
4.Eswari
5.Tulasimani

...Petitioners / Accused Nos.1 to 5

Vs

1.The Inspector of Police,
Velayuthapalayam Police Station,
Karur District.
(Crime No.291 of 2011)

...1st Respondent / Complainant

2.Palanisamy

...2nd Respondent / De facto Complainant

Prayer: This petition filed under Section 482 of Cr.P.C to call for the records relating to the charge sheet in C.C.No.133 of 2013 on the file of the Judicial Magistrate Court No.II, Karur and quash the same.

For Petitioner

: Mr.Ajmalkhan
(Senior Counsel)
for M/s.Ajmal Associates

For R1

: Mr.A.Robison
Government Advocate

For R2

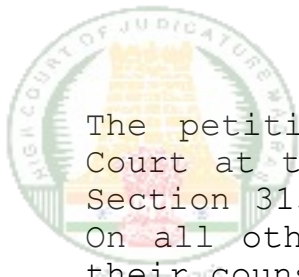
: Mr.S.Ravi

ORDER

The petitioners herein want to quash C.C.No.133 of 2013 on the file of the Judicial Magistrate Court No.II, Karur.

2.It is seen that there are averments against the petitioners in the statements recorded under Section 161 of Cr.P.C. Therefore, it is not possible for this Court to quash the said proceedings. Accordingly, the Criminal Original Petition stands dismissed and all the defences available to the petitioners are left open.

3.The Trial Court shall insist on the personal appearance of the petitioners only when it is absolutely necessary and imperative.



The petitioners shall be called upon to appear before the Trial Court at the time of questioning, at the time of examination under Section 313 of Cr.P.C and at the time of pronouncement of judgment. On all other occasions, the petitioners can be represented through their counsel.

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4. With this relief, this Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate Court No.II,
Karur.

2. The Inspector of Police,
Velayuthapalayam Police Station,
Karur District.

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

+1CC to M/s.Ajmal Associates in SR.No.62670,
+1CC to Mr.S.Ravi Advocate in SR.NO.62864.

TSG

DS/JC/SAR-3 :30.05.2018: 2P/6C

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