



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.06.2018
CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

Cr1 OP(MD)No.17926 of 2013
and
MP(MD)Nos.1 and 2 of 2013

J.Robert Kingsly

... Petitioner

Vs.

1. The State
Rep.by Inspector of Police,
District Crime Branch, Nagercoil,
Kanyakumari District.
Crime No.4 of 2006

2. S.Raja Gopalan,
Divisional Manager,
National Insurance Company Ltd,
No.37, C.S.N.High Road,
Tirunelveli.

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code to call for the records relating to the charge sheet in C.C. No.24 of 2010 on the file of the learned Judicial Magistrate -I, Nagercoil and quash the same.

For Petitioner : Mr.S.C.Herold Singh

For Respondent-1 : Mr.A.Robinson, Govt.Advocate

ORDER

The petitioner has filed this Criminal Original Petition for quashing C.C No.24 of 2010 on the file of the Judicial Magistrate No.1, Nagercoil. This Court is of the view that it is not a matter for quashing. The petitioner will have to establish his innocence in the regular trial. Therefore, leaving open all the contentions and defences of the petitioner, this Criminal Original Petition is dismissed.

2.It is made clear that the petitioner will not be called upon to appear in person for all future hearings. His personal appearance is dispensed with. This Court directs that the trial magistrate shall insist on the appearance of the petitioner herein only for answering the charges and at the time of examination under Section 313 of Cr.PC and at the time of pronouncing judgement.



Except the aforesaid occasions, on other hearing dates the petitioner can be permitted to be represented through counsel. Consequently, connected miscellaneous petitions are closed.

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/True Copy/

Sd/-

Assistant Registrar (CS-III)

Sub Assistant Registrar

To

1. The Inspector of Police,
District Crime Branch, Nagercoil,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.C.Herold Singh, Advocate, SR.No.67089

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SKM

ES/JC/SAR 3/26.06.2018/2P/4C