



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl. OP (MD)No.18685 of 2013

and

MP(MD)No.1 of 2013

S.John Edward Raj

... Petitioner

Vs.

1. State Represented by
The Inspector of Police,
Pudukkadai Police Station,
Kanyakumari District.

2. Vincent

... Respondents

Prayer : This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code to call for the records in respect of proceedings in C.C.No.43 of 2012 pending on the file of Judicial Magistrate No.II, Kuzhithurai and quash the same.

For Petitioner : Mr.M.Gananagurunathan

For Respondents : Mr.A.Robinson,
Government Advocate (Crl.Side)

ORDER

The petitioner seeks to quash CC No.43 of 2012 on the file of learned Judicial Magistrate No.II, Kuzhithurai. This Court is of the view that the grounds raised herein are to be raised during trial.

2.The learned counsel appearing for the petitioner submitted that the relief of dispensing with the appearance of the petitioner can be given. This Court finds force in the said submission. The Trial Magistrate shall insist on the petitioner's personal appearance only for answering the charges and at the time of examination under Section 313 of Cr.PC and at the time of pronouncing judgment. Except these occasions, on other hearing dates the petitioner can be permitted to be represented through their counsel.



3. With this relief regarding personal appearance, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also dismissed.

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Sd/-
Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Pudukkadai Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.K.Samidurai, Adocate, IN SR No. 62012

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skm

PK/RSK-SKN/SAR-1/30.05.2018 : 2P/4C

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