



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD) No.20106 of 2013

and

M.P. (MD) No.1 of 2013

S.Subramaniam

... Petitioner/Accused No.2

Vs.

1.State Rep. by

The Inspector of Police,
Central Crime Branch Unit - I,
Madurai District.
(Crime No.63 of 2012)

...1st RESPONDENT/COMPLAINANT

2.N.K.Ramasamy

...2nd Respondent/Defacto Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in C.C.No.158 of 2013 on the file of the Judicial Magistrate No.I, Madurai and quash as against the petitioner.

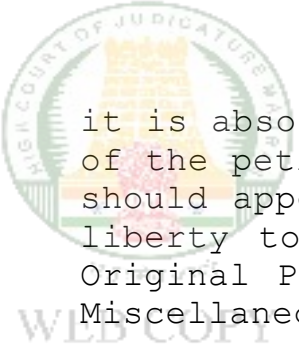
For Petitioner : Mr.B.Brijesh Kishore
For R1 : Mr.A.Robinson
Government Advocate
(Criminal side)

For R2 : Mr.C.Sundaravadivel

ORDER

The petitioner is figuring as Accused No.2 in C.C.No.158 of 2013 on the file of the Judicial Magistrate Court No.I, Madurai. He seeks quashing of the impugned proceedings.

2.It is seen that in this quash petition certain grounds have been raised. This Court is of the view that the same can better be raised or established during the trial. Hence, this Criminal Original Petition is dismissed. However, some relief can be given to the petitioner. The petitioner needs to personally appear before the Court to answer the charges, at the time of pronouncing judgment and on other occasions, normally his presence shall not be insisted upon by the learned Trial Magistrate, unless



it is absolutely necessary and imperative. The personal appearance of the petitioner is dispensed with and on his behalf, his counsel should appear before the Trial Court. The petitioner shall be at liberty to raise all the contentions put forth in this Criminal Original Petition before the Trial Court. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(P & A)

/True copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.I,
Madurai.
- 2.The Inspector of Police,
Central Crime Branch Unit - I,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.B.BRIJESH KUMAR, Advocate SR.No.63751

Cr1.O.P.(MD)No.20106 of 2013

and

M.P.(MD)No.1 of 2013

26.04.2018

SMA/CM-PN/SAR-3/14.05.2018:2P/5C