



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl. OP (MD)No.21380 of 2013

and

MP(MD)Nos.1 and 2 of 2013

1.Pushparathi
2.Hepzi
3.Immanuel
4.Robin
5.Charles
6.Jeyapaul

... Petitioners

Vs.

1.State Rep.by
The Inspector of Police,
All Women Police Station,
Thiruchendur,
Tuticorin District.

2.Zion Rajathi @ Kutti

... Respondents

Prayer : This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code to call for the records and quash the charge sheet in C.C.No.52 of 2013 on the file of learned Judicial Magistrate, Sathankulam, Tuticorin District.

For Petitioners : Mr.C.Muthu Saravanan

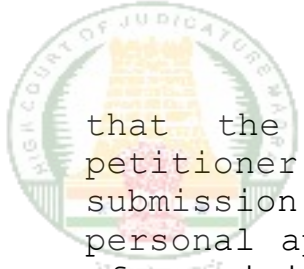
For Respondent No.1 : MR.A.Robinson, Government Advocate
(Crl.side)

For Respondent No.2 : No appearance

ORDER

The petitioner seeks to quash CC No.52 of 2013 on the file of learned Judicial Magistrate, Sathankulam, Tuticorin District. This Court is of the view that the grounds raised herein can as well be raised during trial. It is seen that the petitioners 1 and 2 are women. Others are men. They are residing elsewhere.

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 petitioners personal appearance only for answering of charges and at the time of examining the witnesses under Section 313 of Cr.PC and at the time of pronouncing judgment. Except these occasions, the petitioners can be permitted to be represented through their counsel.

3. With this relief regarding personal appearance, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

skm

To

1 The Judicial Magistrate,
Sathankulam, Tuticorin District

2 The Inspector of Police,
All Women Police Station,
Thiruchendur
Tuticorin District

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

+1 cc to MR.C.Muthu Saravanan, Advocate SR.No.62609

Cr1. OP (MD) No.21380 of 2013

and

MP (MD) Nos.1 and 2 of 2013

19.04.2018

SMA/CM/SAR-2/15.05.2018:2P/5C