



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P. (MD)No.5605 of 2011

and M.P. (MD)No.1 of 2011

K.Palaniselvam

... Petitioner/Accused no.4

Vs.

State represented by
The Inspector of Police,
C.S.CID Dindugal.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in C.C.No.36/2009 on the file of the Judicial Magistrate No.III Dindugal and quash the charge sheet in C.C.No.36/2009 so far as the petitioner in the above case.

For Petitioner	: Mr.V.Balakrishnan
For Respondent	: Mr.K.Anbarasan, G.A.(Cr1.side)

ORDER

The petitioner has filed this petition to quash C.C.No.36 of 2009 on the file of the learned Judicial Magistrate No.III, Dindugal. The petitioner figures as the fourth accused.

2.When the matter was taken up for disposal, the learned Government Advocate (Cr1.side) pointed out that trial in this case has already commenced and that two witnesses out of 9 have already been examined.

3.Since the trial has already commenced, the question of quashing does not arise. The defences of the petitioner are left open. The petitioner is also given a relief of dispensed with his personal appearance. He shall appear only at the time of examination under Section 313 Cr.P.C and also at the time of pronouncing Judgment and on all other occasions, he shall appear through his counsel.

4.With the above directions and observations, this Criminal Original Petition is closed. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Protocol)

/True Copy/



To

1. The Judicial Magistrate No.III,
Dindugal.

2. The Inspector of Police,
C.S.CID Dindugal.

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

+1cc to Mr.P.BANUPRASATH, Advocate SR.No.73608

Gns

MK/MMS/SAR 4/01.08.2018/2P/5C

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