



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2018

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THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Cr1.O.P.(MD)No.7842 of 2011
and
M.P(Md).Nos. 2 & 3 of 2011
and
Cr1.O.P(MD).No. 13051 of 2013
and
M.P(MD).Nos. 1 & 2 of 2013

Cr1.O.P.(MD)No.7842 of 2011

Indra ... Petitioner/Accused No.5
Vs.

1.State Rep. by,
The Inspector of Police,
All Women Police Station,
Madurai Town, Madurai. ...Respondent No.1/Complainant

2.Jenitha ...Respondent No.2/Defacto Complainant

Cr1.O.P.(MD)No.13051 of 2013

1.Saro
2.Rubi
3.Usha
4.Esther ... Petitioners/Accused

Vs.

1.State Rep. by,
The Inspector of Police,
All Women Police Station,
Madurai Town, Madurai. ...Respondent/Complainant

2.Jenitha ...Respondent /Defacto Complainant

COMMON PRAYER: These Criminal Original Petitions have been filed under Section 482 of the Code of Criminal Procedure, to call for the records connected with charge sheet in C.C.No.199 of 2010 dated 28.05.2010, pending on the file of the learned Judicial Magistrate No.I, Madurai and quash the same as illegal insofar as the petitioners are concerned.



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In CrI.O.P(MD).No.7842 of 2011

For Petitioner

: Mr.R.Alagumani

For R-1

: Mr.A.Robinson
Government Advocate
(CrI.Side)

For R-2

: No appearance

In CrI.O.P(MD).No.13051 of 2013

For Petitioners

: Mr.A.John Vincent

For R-1

: Mr.A.Robinson
Government Advocate
(CrI.Side)

For R-2

: No appearance

COMMON ORDER

These Criminal Original Petitions have been filed for quashing the proceedings in C.C.No.199 of 2010 on the file of the Judicial Magistrate No.I, Madurai.

2.The petitioners before this Court are the sisters-in-law and mother-in-law of the defacto complainant. The learned counsel appearing for the petitioners would submit that only general allegations have been made against the petitioners and there is nothing specific so as to fasten any penal liability on them. Be that as it may, considering the fact that there are some averments against the petitioners in the statement under Section 161 Cr.P.C., recorded by the Investigating Officer. This Court is of the view that the petitioners ought to face trial. The petitioners are at liberty to raise all the contentions before the trial Court. Since the petitioners are women and are working elsewhere, they need not appear in person before the trial Court for every hearing. They shall appear on three occasions viz., at the time of questioning, at the time of examination U/s. 313 Cr.P.C., and at the time of pronouncement of the Judgment.

3.Except on these three occasions, the personal appearance of the petitioners shall not normally be insisted upon them.

4.With the above direction and observation, these Criminal Original Petitions are dismissed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar



To
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1.The Judicial Magistrate No.I
Madurai.

2.The Inspector of Police,
All Women Police Station,
Madurai Town, Madurai.

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

+1cc to Mr.A.John Vincent, Advocate, SR.No.61004

msa

RL/5C/3P/KK/SAR1/27/4/2018

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and
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