



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2019

WEB COPY

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P. (MD) No.4980 of 2019

and

CRL.M.P. (MD) Nos.3115 and 3116 of 2019

Jini ... Petitioner / Accused No.1
Vs.
K.Thirupathy ... Respondent / Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.T.C.No.185 of 2018 on the file of the learned Judicial Magistrate No.II, Pudukkottai and quash the same.

For Petitioner : Mr.K.Baalasundharam

ORDER

This Criminal Original Petition has been filed to quash the impugned charge sheet in S.T.C.No.185 of 2018 pending on the file of the learned Judicial Magistrate No.II, Pudukkottai.

2.Though the learned counsel for the petitioner raised several grounds for quashing the calender case on the file of the learned Judicial Magistrate No.II, Pudukkottai, he submitted that it would suffice, if a direction is issued to the trial Court to complete the trial within a time limit that may be stipulated by this Court and also to permit the petitioner to raise all the grounds raised in this petition before the trial Court. He further submitted that her personal appearance may be dispensed with.

3.In the light of the abovesaid submission made by the learned counsel, this Court without going into the merits of the case, directs the learned Judicial Magistrate No.II, Pudukkottai, to complete the trial in S.T.C.No.185 of 2018, within a period of six months from the date of receipt of a copy of this order. The personal appearance of the petitioner before the trial Court is dispensed with on condition that she shall be present for receiving charge sheet, for answering the charges, at the time of questioning under Section 313 Cr.P.C., and at the time of passing judgment. However, the petitioner is directed to give an undertaking in the form of affidavit that the counsel representing her will cross examine the prosecution witnesses on the day they are examined in chief. The petitioner shall not dispute the identity of the witnesses.



4. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Judicial Magistrate No. II,
Pudukkottai.

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

+1 CC to M/s. K. BAALASUNDHARAM, Advocate (SR-61738[F] dated 23/04/2019)

CRL.O.P. (MD) No. 4980 of 2019

22.04.2019

DS/ /SAR- (02.05.2019) 2P 4C