



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2019

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.(MD).No.1294 of 2018

and

CRL.M.P (MD)Nos.536 and 537 of 2018

Bojarajan

... Petitioner/Accused No.2

Vs.

1.The Inspector of Police,
Pulivalam Police Station,
Trichy District.
(Crime No.199 of 2015)

...1st Respondent/Complainant

2.Dhanalakshmi

..2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in C.C.No.195 of 2017 on the file of the learned Judicial Magistrate, Thuraiyur and quash the same as illegal as against the petitioner is concerned.

For Petitioner : Mr.J.Jeyakumaran

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

For R2 : Mr.M.Karunanithi

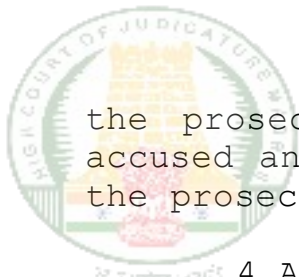
O R D E R

This Criminal Original Petition is filed to quash the criminal proceedings in C.C.No.195 of 2017, on the file of the learned Judicial Magistrate, Thuraiyur, charged for the offences punishable under Sections 294(b), 506(ii) IPC and Section 4 of Women Harassment Act.

2.The learned Government Advocate (Criminal Side) would submit that the trial commenced in C.C.No.195 of 2017 and the prosecution is also examined P.W.1 and 2.

3.The learned counsel for the petitioner would submit that the petitioner is a physically challenged person. The first accused only has played the main role in the crime as alleged by

<https://hccservedits.gov.in/hccservedits>



the prosecution and the petitioner is the friend of the first accused and hence, he has not committed any offence as alleged by the prosecution.

4. At this juncture, this quash petition cannot be entertained by this Court. Accordingly, this Criminal Original Petition is dismissed. Considering the physical fitness of the petitioner, the personal appearance of the petitioner is dispensed with before the trial Court, except for furnishing copies, framing charges, questioning under Section 313 Cr.P.C and at the time of judgment.

5. However, the criminal proceeding is of the year 2017, the trial Court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

das

To

1. The Judicial Magistrate, Thuraiyur.

2. The Inspector of Police,
Pulivalam Police Station,
Trichy District.

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

+1 CC to M/s.J. JEYAKUMARAN, Advocate (SR-85256[F] dated
05/09/2019)

CRL.O.P. (MD) .No.1294 of 2018

and

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