



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.13842 of 2015

and

MP(MD)No.1 of 2015

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Balaji

... Petitioner / Accused

Vs.

Thangatchan

... Respondent /complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records of the private complaint vide C.C No.118 of 2015 on the file of the learned Judicial Magistrate, Boothapandi, Kanyakumari District and quash the same.

For Petitioner : Mr.S.Palanivelayutham

For Respondent : Mr.S.Suresh Kumar

ORDER

The petitioner is facing trial in C.C No.118 of 2015 on the file of the learned Judicial Magistrate, Boothapandi, Kanyakumari District. To quash the same, this criminal original petition has been filed.

2.The contention urged by the petitioner's counsel are rather factual in nature and they will have to be necessarily established only in a regular trial before the trial court. Therefore, I am not inclined to go into the merits of the matter. This original petition stands dismissed. However, considering the fact that the petitioner is a police officer, his personal appearance before the court below stands dispensed with. The learned trial



Judge shall not insist on the personal appearance of the petitioner unless it is necessary or imperative. On all other occasions, the petitioner can be represented by his counsel. Connected miscellaneous petition stands closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Skm

To

The Judicial Magistrate, Boothapandi, Kanyakumari District.

CrI OP(MD)No.13842 of 2015

and

MP (MD)No.1 of 2015

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