



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

Crl.O.P (MD) .No.17603 of 2015
and
MP (MD) Nos.1 and 2 of 2015

C.Anand ... Petitioner/Accused (Single)
Vs
S.Arumugam ... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the entire records pertaining to the case in C.C.No.74 of 2013, on the file of the learned Judicial Magistrate, Valliyoor, Tirunelveli District and quash the same.

For Petitioner : Mr.R.Anand

ORDER

The petitioner is an accused in C.C.No.74 of 2013, on the file of the learned Judicial Magistrate, Valliyoor. It is a private complaint filed under Section 138 of the Negotiable Instruments Act. To quash the same, this Criminal Original Petition has been filed.

2.None of the contentions put forth by the petitioner are sufficient to invoke the inherent powers of this Court. Therefore, this Criminal Original Petition stands dismissed. However, it is made clear that this Court has not gone into the merits of the matter. All the contentions and defences of the petitioner are left open.

3.The personal appearance of the petitioner before the Court below shall stand dispensed with. The Trial Judge shall not insist on the personal appearance of the petitioner unless it is absolutely necessary or imperative. The petitioner shall of course be present to answer the charges and at the time of examination under Section 313 of Cr.PC and at the time of pronouncing judgment. Except these three occasions, on other hearing dates the petitioner can be represented through counsel. If the petitioner's counsel is also not present before the court below, the benefit of dispensing the personal appearance of the petitioner will stand automatically



vacated.
closed.

Consequently, connected miscellaneous petitions are

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sj i

To

The Judicial Magistrate, Valliyoora, Tirunelveli District.

Crl.O.P(MD). No.17603 of 2015

02.12.2019

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