



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.8278 of 2015

and

M.P.(MD)Nos.1 and 2 of 2015

1.Alex Daniel Raj

2.Jeyamary

3.Margrat

4.Albert

... Petitioners

Vs

1.State represented by
The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai.
Crime No.20 of 2014

3.Shanthi Sahaya Belsi

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records pertaining to the C.C.No.20 of 2015 on the file of the Additional Mahila Court (Judicial Magistrate), Madurai.

For Petitioners : Mr.R.Surianarayanan

For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

The petitioners are facing trial in C.C.No.20 of 2015 on the file of the Additional Mahila Court, Madurai, for the offences under Sections 498(A), 406, 294(b) of IPC and Section 4 of Dowry Prohibition Act.

2. In the statements recorded under Section 161 of Cr.P.C., there are prima facie materials implicating the petitioners herein. Therefore, the petitioners will have to necessarily establish their innocence only in a regular trial. Hence, this



criminal original petition stands dismissed. However, the personal appearance of the petitioners is dispensed with.

3.The learned trial Magistrate shall insist on the personal appearance of the petitioners only when it is absolutely necessary and imperative. The petitioners shall be called upon to appear in person before the trial Court at the time of answering the charges and at the time of examination under Section 313 of Cr.P.C., and at the time of pronouncement of Judgment. On all other occasions, the petitioners can be represented through their counsel. It is made clear that this Court has not gone into the merits of the matter. All the contentions and defences are left open. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai.

2.The Additional Mahila Court (Judicial Magistrate), Madurai.

+1 CC to M/s.R.SURIYA NARAYANAN, Advocate (SR-91482[F] dated
04/10/2019)

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KM/ (17.12.2019) 2P 4C