



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.9922 of 2015 and

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

Leelaveera

... Petitioner/Sole Accused

Vs.

1. The Inspector of Police,
City Crime Branch,
Tirunelveli City,
Tirunelveli.

... 1st Respondent/Complainant

2. Tamil Selvi

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.280 of 2006 on the file of the Judicial Magistrate No.1, Tirunelveli and quash the same.

For Petitioners : M/s.K.Neelamegam

For R-1 : Mr.A.Robinson,
Government Advocate(Crl.Side).

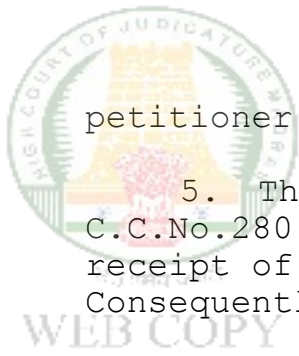
ORDER

The petitioner is facing trial in C.C.No.280 of 2006 on the file of the Judicial Magistrate No.I, Tirunelveli, for the offence under Section 420 of I.P.C.

2. I am of the view that the petitioner will have to necessarily establish her innocence only in a regular trial before the Court below. No case has been made out for invoking the inherent powers of this Court.

3. In this view of the matter, the Criminal Original petition stands dismissed. However, the personal appearance of the petitioner before the Court below is dispensed with.

4. The learned trial Magistrate shall insist on the personal appearance of the petitioner only when it is absolutely necessary and imperative. The petitioner 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



petitioner can be represented through her counsel.

5. The learned trial Magistrate is directed to dispose of C.C.No.280 of 2006 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 (AS)

// True Copy //

Sub Assistant Registrar(CS)

pmu

To

1. The Judicial Magistrate No.1,
Tirunelveli.
2. The Inspector of Police,
City Crime Branch,
Tirunelveli City,
Tirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.K.NEELAMEGAM, ADVOCATE, SR NO.91227

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_KK/SAR/17.12.2019/2P-5C/