



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2019

CORAM:

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

Crl.O.P. (MD)No.10986 of 2018

and

Crl.M.P (MD)Nos.4966 and 4967 of 2018

Mathivanan

... Petitioner/Sole Accused

Vs.

1.The State through
The Sub Inspector of Police,
All Women Police Station,
Musiri, Trichy District.
(Crime No.08 of 2015)

2.A.Sasikala ... Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records of the charge sheet in C.C.No.221 of 2017, on the file of the Judicial Magistrate Court, Thuraiyur, Trichy District, against the petitioner for the alleged offence U/s.493 r/w 420 of IPC and quash the same.

For Petitioner	: Mr.A.Haja Mohideen
For R1	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl. Side)
For R2	: Mr.D.Shanmugaraja Sethupathi

O R D E R

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.221 of 2017, on the file of the Judicial Magistrate Court, Thuraiyur, Trichy District, as against the petitioner.

2.The learned Government Advocate (Crl.side) would submit that now the trial commenced and all the prosecution witnesses already examined and it is posted for examination of Investigating Officer. Therefore, the entire proceedings cannot be quashed at this stage.

3.Recording the said submission made by the learned Government Advocate (Crl.Side), this criminal original petition is dismissed.

4.At this juncture, the learned Counsel for the petitioner submitted that the presence of the petitioner before the Trial Court



may be dispensed with.

5.Accepting the said submission, the personal appearance of the petitioner is dispensed with and he shall be represented by a counsel after filing appropriate application. The petitioner shall be present before the Court at the time of furnishing of copies, framing charges, questioning under Section 313 Cr.P.C. and at the time of passing judgment.

6.Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

vsd

To

- 1.The Judicial Magistrate,
Thuraiyur, Trichy District.
- 2.The Sub Inspector of Police,
All Women Police Station,
Musiri, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.D.SHANMUGARAJA SETHUPATHI, Advocate Sr. No.97939
+1CC TO MR.A.HAJAMOHIDEEN, Advocate Sr. No. 98154

vsd

Cr1.O.P. (MD)No.10986 of 2018

and

Cr1.M.P(MD)Nos.4966 and 4967 of 2018

12.11.2019

KG (CO)

TR(05.12.2019)2P 6C