



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.4046 of 2020

and

Crl.M.P. (MD)Nos.2247 and 2248 of 2020

1.D.Prabhakaran

2.Vasanth

... Petitioners

Vs

1. The State by
The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.16/2011)

2.Gayathri

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records pertaining to the charge sheet in C.C.No.67 of 2012 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District and quash the same as against the petitioner.

For Petitioners	: Ms.Prabha for M/s.W.Pamelin
For R1	: Mr.A.Robinson Government Advocate (Crl.side)

ORDER

This criminal original petition has been filed by A4 and A5 for quashing the impugned proceedings in C.C.No.67 of 2012 on the file of the Judicial Magistrate, Paramakudi.

2.I am not in a position to grant relief to the petitioners herein for two reasons. The first one is that earlier petition

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filed in Crl.O.P.(MD)No.11707 of 2018 suffered a dismissal on 14.11.2019. The second reason is that the trial has not only commenced but also progressed substantially. The case is posted for examination of defence witnesses. When once the trial is commenced, normal practice of this Court is not to entertain the quash petition. Therefore, leaving open the petitioner's defences, this criminal original petition is dismissed. It is for the petitioners to establish their defences before the Court below.

3.Taking note of the overall facts and circumstances, the personal appearance of the petitioner is dispensed with. He has to appear only when directed by the trial Court. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

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/ /2020

Sub Assistant Registrar(CS)

To

1. The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
2. The Judicial Magistrate, Paramakudi,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.W.PAMELIN, Advocate (SR-10503[F] dated 06/03/2020)

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