



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.4412 of 2020

and

CrI.M.P. (MD)Nos.2488 and 2489 of 2020

K.Sakthi @ Esakki Ammal

... Petitioner

Vs

1.State rep. by

The Inspector of Police,
All Women Police Station,
Thoothukudi District.
(In Cr.No.19/2019)

2.M.Jeyalakshmi

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C.No.565 of 2019 on the file of the Judicial Magistrate No.IV, Thoothukudi and quash the same as illegal insofar as the petitioner is concerned.

For Petitioner : Mr.Vishvanathan

for Mr.K.Suresh

For R1

: Mr.A.Robinson

Government Advocate (CrI.side)

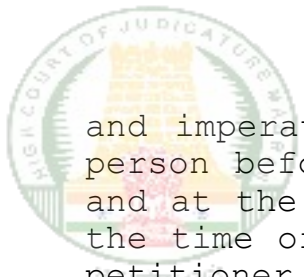
ORDER

This criminal original petition has been filed for quashing the impugned proceedings in C.C.No.565 of 2019 on the file of the Judicial Magistrate No.IV, Thoothukudi.

2.The petitioner is facing trial for the offences under Sections 498(A), 294(b), 506(i) and 494 of IPC and Section 4 of TNPHW Act.

3. I am of the view that the contentions raised in the memorandum of grounds in the criminal original petition will have to be established only before the Court below in a regular trial. Therefore, this criminal original petition stands dismissed. However, the personal appearance of the petitioner 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 his counsel. 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. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (P&A)

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/ /2020

Sub Assistant Registrar(CS)

rmi

To

- 1.The Inspector of Police,
All Women Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.K.SURESH, Advocate (SR-11210[F] dated 11/03/2020)

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VB(20.03.2020) 2P 4C