



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.10.2020
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.11625 of 2020

and

Crl.M.P (MD)Nos.5306 and 5307 of 2020

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T.Ramasamy ... Petitioner/Accused No 1
Vs.

1.The State of Tamil Nadu rep by,
The Inspector of Police,
Ayakudi Police Station,
Dindigul District.
Crime No.235 of 2010. ...Respondent/Complainant

2.A.Gnanapandidhan ... Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records from the learned Additional District Judge, Palani in S.C.No.62 of 2020 and quash the same as it has no *prima facie* case against the petitioner.

For Petitioner : Mr.Ananth C.Rajesh
For R1 : Mrs.S.E.Veronica Vincent,
Government Advocate (Criminal Side)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the first respondent.

2.The petitioner is figuring as accused in S.C.No.62 of 2020 on the file of the learned Additional District Judge, Palani. The petitioner's counsel reiterated all the contentions set out in the memorandum of the grounds.

3.I am afraid that I will have to undertake an investigation into the factual aspects, if the petitioner's contentions are to be appreciated. Such a course of action is not permissible while exercising jurisdiction under Section 482 of Cr.P.C. Therefore, leaving open the petitioner's contentions, this Criminal Original Petition is disposed of.

4.The appearance of the petitioner before the Court below is dispensed with. He has to appear only on those occasions when his appearance is necessary and imperative and on all other occasions, the petitioner can be represented through his counsel. If the counsel also fails to appear, then the benefit of this order will automatically get vacated. I make it clear that I have not



gone into the merits of the matter. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

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/ /2020

Sub Assistant Registrar(CS)

das

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Additional District Judge, Palani.
- 2.The Inspector of Police,
Ayakudi Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.ANANTH C. RAJESH, Advocate (SR-20578[F] dated 20/10/2020)

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BK (CO)
KB (02.11.2020) 2P 5C