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CRL.O.P.(MD)NO. 7844 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2020

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD)No.7844 of 2015 and

CRL.M.P. (MD)Nos.1 and 2 of 2015

V.Seenivasan

... Petitioner/Sole Accused

Vs.

1. State represented by,
The Inspector of Police,
Aruppukottai Town police station,
Virudhunagar District.
(Crime No.218 of 2013)

... Respondent/Complainant

2. A.Seethalakshmi

... Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in C.C.No.126 of 2014 on the file of the Judicial Magistrate, Aruppukottai and quash the same.

For Petitioners : Mr.S.Ramasamy
For R-1 : Mr.A.Robinson,
Government Advocate(Crl. Side).
For R-2 : Mr.Babu Rajendran

O R D E R

The petitioner herein faces the trial in C.C.No.126 of 2014 on the file of the Judicial Magistrate, Aruppukottai, for the offence under Section 4 of Tamil Nadu Prohibition of Women Harassment Act.

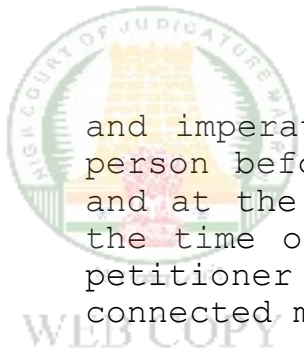
2. The second respondent is the defacto complainant.

3. The petitioner's counsel reiterated the contentions set out in the memorandum of grounds.

4. They are clearly factual in nature and it would not be open to this Court in exercising the inherent powers to consider the same. Therefore, leaving open all the contentions and the defences of the petitioner, the criminal original petition stands dismissed.

5. However taking note of the overall facts and circumstances of this case, the personal appearance of the petitioner before the Court below is dispensed with.

6. 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

To:

1. The Judicial Magistrate,
Aruppukottai.
2. The Inspector of Police,
Aruppukottai Town police station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.BABU RAJENDRAN, Advocate (SR-2506[F]

+1 CC to M/s.S.RAMASAMY, Advocate (SR-2694[F] dated 23/01/2020)

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SMA/05/06/2020/2P/6C