



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2020

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.10519 of 2016

and

Crl MP(MD)Nos.5201 and 5202 of 2016

B.T.Kumar @ Arasakumar ... Petitioner / Accused No.1

Vs.

1.State Represented by
The Inspector of Police,
District Crime Branch,
Pudukkottai District.
(Crime No.50 of 2013) ... 1st Respondent / Complainant

2.Arumugam ... 2nd Respondent /Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to S.C.No.156 of 2014 pending on the file of the learned Assistant Sessions Judge Cum Chief Judicial Magistrate, Pudukkottai and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.K.Govindarajan,
For Mr.S.Ravi

For R1 : Mr.A.Robinson,
Government Advocate (Crl.Side)

For R2 : Mr.N.Dilip Kumar

ORDER

This criminal original petition has been filed for quashing the impugned proceedings.

2.The learned Government Advocate (crl.side) appearing for the first respondent states that the trial in this case has already been commenced.

3.I am of the view that once the trial has commenced, the Criminal Original Petition has to necessarily suffer a dismissal. However, considering the facts and circumstances of the case, the personal appearance of the petitioner is dispensed with before the court



below. Of course, he has to be represented by his counsel. The learned Trial Judge shall not insist on the petitioner's personal appearance unless it is necessary and warranted. Leaving open all the contentions and defences, this criminal original petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Assistant Sessions Judge Cum Chief Judicial Magistrate,
Pudukkottai.

2.The Inspector of Police,
District Crime Branch,
Pudukkottai District.

+1 CC to M/s.S.RAVI, Advocate (SR-7489[F] dated 21/02/2020)

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-7492[F] dated 21/02/2020)

Cr1.OP(MD)No.10519 of 2016

20.02.2020

SPU (11.06.2020) 2P-5C