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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.15897 of 2016 and
CRL.M.P.(MD)Nos.7626 & 7627 of 2016

Parameswari

... Petitioner/Accused No.4

Vs.

1. State rep. by,
The Inspector of Police,
Mudukulathur Circle,
Ramanathapuram District.
(Crime No.167 of 2013)

... 1st Respondent/Complainant

2. Sridevi

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records and to quash the charge sheet in C.C.No.85 of 2016 on the file of the learned Judicial Magistrate, Mudukulathur in Crime No.167 of 2013 on the file of the first respondent for the alleged offence under Sections 147, 498(A), 323, 506(i) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Women Harassment Act.

For Petitioner : Mr.K.R.Laxman

For R-1 : Mr.A.Robinson,

Government Advocate(Crl. Side).

For R-2 : No appearance.

O R D E R

This criminal original petition has been filed to quash the proceedings in C.C.No.85 of 2016 on the file of the Judicial Magistrate, Mudukulathur.

2. The learned Government Advocate(Crl. Side) pointed out that the trial in this case has also commenced and five witnesses have already been examined.

3. Therefore, I am not inclined to interfere in the matter. The criminal original petition stands dismissed. The petitioner's defences are left open. The personal appearance of the petitioner before the Court below 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 her counsel. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

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To:

1. The Judicial Magistrate,
Mudukulathur.
2. The Inspector of Police,
Mudukulathur Circle,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P. (MD) No.15897 of 2016

28.02.2020

SMA/04/06/2020/2P/4C