



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.01.2020
CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.5458 of 2016

and

Crl MP(MD)No.2711 of 2016

1.S.K.Asees
2.Abdul Salam
3.Khader Beevi
4.Peer Mohamed
5.Shahul Hameed
6.Liyakath Ali

... Petitioners / Accused Nos.1 to 6

Vs.

Noorukhan

... Respondent / Complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the case now pending in C.C No.6 of 2016 on the file of the Judicial Magistrate, No.1, Kuzhithurai and quash the same.

For Petitioners : Mr.N.Dilipkumar
For Respondent : No appearance

ORDER

The petitioners are facing trial in a private complaint in C.C No.6 of 2016 on the file of the Judicial Magistrate No.1, Kuzhithurai for the offences under Sections 323, 324, 325, 326 & 506 (ii) IPC.

2.The learned counsel for the petitioners reiterated the contentions set out in the memorandum of grounds. The case of the defacto complainant is that he suffered a cut injury. He has also enclosed some medical records along with the complainant.

3.I am of the view that the petitioners will have to establish their innocence only before the trial court. Therefore, leaving open all the contentions and defences, this criminal original petition is disposed of. However, taking note of the facts and circumstances of the case, the personal appearance of the petitioners before the court below is dispensed with. Of course, they will have to appear on three occasions, namely, for answering the charges and at the time of examination under Section 313 of Cr.PC and again, at the time of pronouncement of judgment. On all



other occasions, the petitioners shall be represented by their counsel.

4. Accordingly, the criminal original petition is dismissed. Consequently, connected miscellaneous petition is also dismissed.

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Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Skm

To

The Judicial Magistrate, No.1,
Kuzhithurai.

+1 CC to Mr.N.DILIP KUMAR, Advocate (SR-203[F] dated 03/01/2020)

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MK (19.02.2020) 2P 3C