



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD)No.9757 of 2016

and

CRL.M.P. (MD)Nos.4904 & 4905 of 2016

WEB COPY

1. Balachandran
 2. Mohan
 3. Veeraiah
 4. Chidambaram
 5. Selvanthiran
 6. Pandiyan @ Pandi
 7. Bharathi
- ... Petitioners/Accused Nos.1 to 7

Vs.

1. The State rep. by,
The Inspector of Police,
Thirukokarnam police station,
Pudukottai.

2. K.Katturaj
- ... Respondents/Complainants

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned charge sheet in connection with S.C.No.29 of 2016 on the file of the Principal District Sessions Court, Pudukottai and quash the same.

For Petitioners	: Mr.V.Sasi Kumar
For R-1	: Mr.A.Robinson, Government Advocate(Crl. Side).

* * *

O R D E R

This criminal original petition has been filed for quashing the impugned proceedings pending before the Court below.

2. The learned counsel appearing for the petitioners reiterated the contentions set out in the memorandum of grounds.

3. During the pendency of this criminal original petition, the case has been transferred to the Additional Sessions Court, Pudukottai and renumbered as S.C.No.23 of 2019. I am of the view that the petitioners have to necessarily establish their innocence only before the Court below in a regular trial. Leaving open all the contentions and the defences of the petitioners, the criminal original petition stands dismissed.



4. Considering the overall facts and circumstances of this case, the personal appearance of the petitioners before the Court below is dispensed with.

5. The learned trial Judge shall insist on the personal appearance of the petitioners only when it is absolutely necessary and imperative. On all other occasions, the petitioners can be represented through their counsel.

6. It is made clear that this Court has not gone into the merits of the matter. All the contentions and the defences of the petitioners are left open. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

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/ /2020

Sub Assistant Registrar(CS)

Pmu

To:

1. The Principal District Sessions Judge,
Pudukottai.
2. The Additional Sessions Judge, Pudukottai.
3. The Inspector of Police,
Thirukokarnam police station,
Pudukottai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to MR.A.MOHAN, Advocate (SR-6957[F] dated 18/02/2020)

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VB (05.06.2020) 2P 6C