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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

Crl.O.P(MD).No.14276 of 2018

and

Crl.M.P. (MD) Nos.6390 and 6391 of 2018

Hari Balaji

... Petitioner/Sole Accused

Vs

1.The State,

Represented by Sub-Inspector of Police,

Railway Police Station, Madurai.

(Crime No.52 of 2018)

...1st Respondent/Complainant

2.Malai Eswari

...2nd Respondent/Defacto

Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records relating to the Charge Sheet in C.C.No.93 of 2018, on the file of the learned Additional Mahila Court, Madurai and quash the same.

For Petitioner

: Mr.K.Govindarajan
for Mr.S.Ravi

For R1

: Mr.A.Robinson
Government Advocate (Crl. Side)

ORDER

This criminal original petition has been filed for quashing the proceedings in C.C.No.93 of 2018, on the file of the learned Additional Mahila Court, Madurai.

2.The learned counsel appearing for the petitioner reiterated the contentions set out in the memorandum of grounds. I am clear of the view that they are rather factual in nature and they have to be necessarily established only before the Court below. Therefore, leaving open the petitioner's contentions and defences, this criminal original petition stands dismissed. It is made clear that this court has not gone into the merits of the matter. The petitioner is said to be a BSNL employee. He is now under suspension. Considering the subject matter, the Additional Mahila Court, Madurai, is directed to conclude the case on merits, within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are also stand dismissed.



3.The personal appearance of the petitioner before the Court below shall stand dispensed with. Of-course, on the date, when the principal witnesses appear and on other important occasions, the petitioner has to appear. On all other occasions, the petitioner can be represented by his counsel.

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Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

1.The Additional Mahila Court, Madurai.

2.The Sub-Inspector of Police,
Railway Police Station, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD) .No.14276 of 2018
17.03.2020

AP(18/05/2020) 2P 4C