

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2021

CORAM:

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.80 of 2017
and
Crl.M.P.Nos.69 & 70 of 2017

L.Felix Reginald ... Petitioner/Sole Accused

Vs.

1.State represented by
The Inspector of Police,
City Crime Branch,
Tiruppur.
(Crime No.10 of 2015)

Respondent/Complainant

2.C.Thangavel ... Respondent/de facto Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
to call for the records in C.C.No.349 of 2016 on the file of the
Judicial Magistrate Court No.I, Tiruppur and quash the same.

For Petitioner : Mr.M.V.Venkataseshan

For R1 : Mrs.P.Kritika Kamal
Government Advocate (Crl.Side)

For R2 : No appearance

O R D E R

This criminal original petition has been filed seeking to
call for the records in C.C.No.349 of 2016 on the file of the
Judicial Magistrate Court No.I, Tiruppur and quash the same.

2. Report called for from the trial Court shows that PW1
to PW11 have been examined and the accused has filed an
application under Section 311 Cr.P.C. to recall PW1 to PW5 to
cross-examine them, which has also been allowed by the trial

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Court on 20.03.2020, but, strangely the accused has not filed witness batta till date.

3. In such view of the matter, when charges have been framed and trial has begun, this is not a fit case to quash the prosecution.

4. In the result:

- This criminal original petition is closed with liberty to the petitioner to raise all the points before the trial Court during trial;
- The petitioner shall cooperate with the trial Court in conduct of the trial, failing which, the trial Court shall apprehend the petitioner and take him into custody under Section 309 Cr.P.C. and proceed with the trial; and
- If the petitioner absconds, a fresh FIR can be registered under Section 229-A IPC.

Connected Crl.M.Ps. are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Judicial Magistrate No.I,
Tiruppur.

2.The Inspector of Police,
City Crime Branch,
Tiruppur.

3.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

Crl.O.P.No.80 of 2017

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