



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2021

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.28270 of 2017
and
CRL.M.P.Nos.16064 & 16065 of 2017

1.Sudha
2.Suresh
3.Ramesh
4.Gopal
5.Sankar
6.Ravi
7.Palani Ammal
8.Pradeepa

...Petitioners

Vs.

1. State rep.by
The Inspector of Police,
Bommidi Police Station,
Dharmapuri District.
(Crime No.408/2013)

2. Ranganathan
(2nd Respondent in impleaded as per the
order of this Hon'ble court dated
24.04.2019 in Crl.M.P.No.5521/2019)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records relating to the charge sheet in S.C.No.7 of 2015 on the file of learned Sub Court, Harur in Crime No.408 of 2013 on the file of the respondent and quash the same.

For Petitioners: Mr.S.Kumaradevan

For Respondents: Mr.S.Vinoth Kumar
Government Advocate(Crl.side) for R1



ORDER

This Criminal Original Petition has been filed to quash the charge sheet in S.C.No.7 of 2015 on the file of learned Sub Court, Harur in Crime No.408 of 2013 on the file of the respondent.

2.The case of the prosecution is that due to the previous enmity, the accused abused the de-facto complainant and unlawfully assembled and assaulted the de-facto complainant by using deadly weapons, thereby caused injuries on him.

3.The contention of the learned counsel for the petitioner is that it is a case and counter. Therefore, final report has to be quashed.

4. At the outset, I am not in agreement with the submissions of the learned counsel for the petitioner. When serious allegations are made against the petitioners for causing injuries and an offence under Section 307 IPC has been registered, trial has to be conducted. Accordingly, this Criminal Original Petition stands dismissed.

5. At this stage, learned counsel for the petitioner seeks a direction to dispense with the personal appearance of A1, A7 and A8, since they are women folk. Taking into consideration the facts and circumstances of the case, the presence of the petitioners/A1, A7 and A8 alone before the Trial Court is dispensed with except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., or on any other date as may be required by the trial Court. They shall be represented by a counsel, who shall cross examine the witnesses on the same day, when they are examined in Chief.

6. Considering the nature of the charges levelled against the petitioners and a counter case is also pending, Trial Court shall conduct both the cases simultaneously and dispose of the same as expeditiously as possible. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

nr/RR



To

1. The Sub Court
Harur.

2. The Inspector of Police,
Bommidi Police Station,
Dharmapuri District.

3. The Public Prosecutor
High Court, Madras.

Crl. O.P. No.28270 of 2017
and
CRL.M.P.Nos.16064 & 16065 of 2017

VSN-II (CO)
RGA (30/12/2021)