



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

**Crl.O.P. (MD) No.13454 of 2021**

**and**

**Crl.M.P. (MD) Nos.6984 and 6985 of 2021**

WEB COPY

- 1.Sangiliyammal
- 2.Selvarani
- 3.P.Radhakrishnan
- 4.Murugeswari

... Petitioners/Accused No.1 to 4

**Vs.**

- 1.The State represented by,  
Inspector of Police,  
District Crime Branch,  
Virudhunagar,  
Virudhunagar District.  
(FIR No.64/2012)

... Respondent/Complainant

- 2.Malliga

... Respondents/Informant

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to proceedings of C.C.No.179/2015 on the file of the Judicial Magistrate Court, No.II, Virudhunagar District and quash the same insofar as the petitioners alone.

|                 |                                                        |
|-----------------|--------------------------------------------------------|
| For Petitioners | : Mr.R.Murugappan                                      |
| For R1          | : Mr.K.Sanjai Gandhi<br>Government Advocate (Crl.Side) |
| For R2          | : No representation                                    |

**ORDER**

This petition is filed seeking quashment of C.C.No.179 of 2015 on the file of the learned Judicial Magistrate No.II, Virudhunagar District.

2.On going through the records, it is found that so far two witnesses have been examined before the trial Court and the case is pending for examining the third witness. Even though notice has been served upon the 2<sup>nd</sup> respondent, none appears on behalf of her.

3.The learned counsel appearing for the petitioners has restricted his relief only with regard to dispensing with the personal appearance of the petitioners stating that the petitioners herein are aged about 61, 55, 45 and 50 respectively.



4.Considering the age of the petitioners 1, 2 and 4, their personal appearance is dispensed with before the trial Court on the following conditions:-

i) Within 15 days from the date of receipt of a copy of this order, the petitioners 1, 2 and 4 must appear before the trial Court, by giving an undertaking that they will appear before the trial Court as and when required, affixing attested photograph. They must engage an advocate to represent them before the trial Court whenever the matter is heard.

ii) Since the matter is of the year 2015, there shall be a direction to the learned Judicial Magistrate No.II, Virudhunagar District, to complete the trial process within a period of 5 months from the date of appearance of the petitioners before the trial Court. After that, compliance report must be submitted to the Registry.

iii) Insofar as the 3<sup>rd</sup> petitioner is concerned, he must appear before the trial Court regularly.

5.With the aforesaid directions, this petition stands disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate No.II,  
Virudhunagar District.

2.Inspector of Police,  
District Crime Branch,  
Virudhunagar,  
Virudhunagar District.



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

Copy to:

The Registrar (Judicial),  
Madurai Bench of Madras High Court,  
Madurai.

**CrI.O.P. (MD) No.13454 of 2021**  
**22.10.2021**

**NSN (CO)**

**RS/PM (08.11.2021) 3P 5C**