



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.12.2021

CORAM

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

Crl.O.P.(MD)No.10245 of 2019
and Crl.M.P.(MD)No.6441 of 2019

WEB COPY

1. Subash Pandian
2. Panthana Selvi
3. A.K.Karuppasamy alias A.K.Samy

... Petitioners/Accused No.1,2,3

Vs.

1. Petchiammal

... Respondent/Defacto Complainant

2. The Inspector of Police,
Balamedu Police Station,
Madurai District.
(Crime No.53 of 2019)

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the FIR in Crime No.53 of 2019 on the file of the second respondent and quash the same.

For Petitioner	: Mr.R.Ramasamy
For R2	: Mr.R.Sivakumar, Government Advocate(Crl.side)

ORDER

This criminal original petition has been filed to quash the first information report in Cr.No.53 of 2019 on the file of the second respondent.

2.Today, when the matter is taken up for hearing, the learned Government Advocate(Crl.side) appearing for the second respondent police would submit that the investigation in Cr.No.53 of 2019 has been completed and final report also filed before the learned Judicial Magistrate, Vadipatti, which was also taken cognizance in C.C.No.56 of 2020.

3.In view of the above submission, the prayer sought for in this petition has become infructuous. The petitioner is at liberty to workout his remedy in the manner known to law.

4.At this juncture, the learned counsel appearing for the petitioners prayed to dispense with the personal appearance of the petitioners before the Court below.



5.It is seen that the first petitioner is aged only 28 years and he may appear before the Court below at the time of framing charges. The personal appearance of the second petitioner is dispensed with on condition that the second petitioner shall appear before the trial Court namely the Judicial Magistrate Court, Vadipatti, within a period of 15 days from the date of receipt of a copy of this order and file an undertaking affidavit, by affixing his recent passport size photograph, to the effect that she will appear before the trial Court as and when required and must ensure her proper representation through Advocate.

6.Accordingly, with this above directions, this criminal original petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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 Inspector of Police,
Balamedu Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.10245 of 2019

02.12.2021

USK (15.12.2021) 2P 3C