



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.16616 of 2021 &

CrI.MP(MD)Nos.8969 & 8970 of 2021

WEB COPY

1.Rajakumar
2.Chitra
3.Kasikani

... Petitioners

Vs.

1.The State Represented through,
The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
In Crime No.323 of 2014.

2.Poongothai

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to CC.No.219 of 2020 on the file of the Judicial Magistrate, Rathapuram, Tirunelveli District and quash the same.

For Petitioners : Mr.D.S.Haroon Rasheed

For R1 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

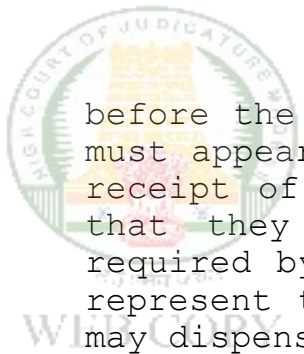
This petition is filed seeking quashment of CC.No.219 of 2020 on the file of the Judicial Magistrate, Rathapuram, Tirunelveli District.

2. The petitioners are facing charges under Sections 294(b) and 323 of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

3. After hearing the arguments on both sides, this Court is not inclined to quash the Charge Sheet, however, the learned counsel for the petitioners submitted that considering the age of the third petitioner and also considering the fact that the second petitioner is the wife of the first petitioner, their personal appearance may be dispensed with before the lower Court.

4. Considering the request made by the learned counsel for the petitioners, the personal appearance of the petitioners 2 and 3

<https://hpcservicescourts.gov.in/hpcservices>



before the lower Court is dispensed with on the condition that they must appear before the Trial Court, within 15 days from the date of receipt of a copy of this order and file an undertaking affidavit that they will appear before the concerned Court as and when required by affixing attested photo. They must engage a lawyer to represent them. So, if such undertaking is given, the Trial Court may dispense the personal appearance of the petitioners 2 and 3.

5. With this, Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mbi

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,
Radhapuram, Tirunelveli District.
- 2.The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.16616 of 2021
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RK/SKN(24/11/2021) 2P 4C