



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P. (MD)No.17572 of 2021 and
CRL.M.P. (MD)Nos.9574 & 9575 of 2021

Saravanan

... Petitioner/Accused/Sole accused

Vs.

The State rep. By,
The Inspector of Police,
Jeeyapuram All Women police station,
Trichy District.
(Crime No.4 of 2020)

... Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the proceeding in Spl.S.C.No.75 of 2021 on the file of the learned Mahila Court, Tiruchirappalli in Crime No.4 of 2020 on the file of the respondent police and quash the same.

For Petitioner : Mr.K.M.Karunakaran

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the proceedings in Spl.S.C.No.75 of 2021 on the file of the Mahila Court, Tiruchirappalli.

3. This is a case in which the petitioner has to necessarily establish his innocence only before the Court below. No relief can be granted to the petitioner under Section 482 of Cr.P.C. Leaving open all the petitioner's contentions and defences, this criminal original petition is dismissed.

4. However, taking note of the overall facts and circumstances, the personal appearance of the petitioner before the Court below is dispensed with. This relief is granted because the petitioner is said to be working as Engineer, at Chennai. If the petitioner is made to attend every hearing, his career may be affected. However,



the petitioner has to appear before the Court below on the following three occasions:-

- i) To answer the charges,
- ii) at the time of examination under Section 313 of Cr.P.C. and
- iii) at the time of pronouncement of Judgment.

The petitioner also will have to appear when his presence is insisted upon by the trial Court and on all other occasions, the petitioner can be represented by his counsel. If the petitioner's counsel also fails to appear, the benefit of this order will stand vacated automatically. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 Judge,
Mahila Court,
Tiruchirappalli
- 2.The Inspector of Police,
Jeeyapuram All Women police station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-34324[F] dated 12/11/2021)

Crl.O.P. (MD) No.17572 of 2021
12.11.2021

MGJ/NS(25.11.2021) 2P 5C