



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.18450 of 2021

and

Crl.M.P. (MD)Nos.10164 &10165 of 2021

WEB COPY

1.V.Devi

2.V.Kasimayan

3.V.Dhanabalan

... Petitioners

Vs

1.The Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam Taluk,
Madurai.
Crime No.122/2020

... Respondent

2.P.Kajendran

... Respondents /
Defacto complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to quash **(*)C.C.No.146 of 2021** on the file of the Judicial Magistrate, Thirumangalam and quash the same.

For Petitioners : Mr.C.Ezhilarasu
For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in **(*)C.C.No.146 of 2021** on the file of the Judicial Magistrate, Thirumangalam.

2. The learned counsel for the petitioner reiterated all the contentions set out in the memorandum of grounds.

3. As rightly pointed out by the learned Additional Public Prosecutor, consideration of the said contention would definitely involve undertaking a factual probe. Under Section 482 of Cr.P.C., I cannot do so. Leaving open the petitioners' defences and contentions, this Criminal Original Petition is dismissed.

4. However, taking note of the overall facts and circumstances, the personal appearance of the petitioners before the court below is dispensed with. The learned trial Magistrate shall insist on the personal appearance of the petitioners only when it is absolutely necessary and imperative. The petitioners

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shall be called upon to appear in person before the trial Court at



the time of answering the charges and at the time of examination under Section 313 of Cr.P.C., and at the time of pronouncement of Judgment. On all other occasions, the petitioners can be represented through their counsel. Consequently, connected miscellaneous petitions are closed.

WEB COPY

Sd/-

Assistant Registrar (T&P)

(*)Amended as per order of this Court dated 24/03/2022 made in Crl MP(MD)No.3895 of 2022 in Crl.O.P(MD)No.18450 of 2021

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rmi

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

(*)To be Substituted to the order which already despatched on 16/12/2021

- 1.The Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam Taluk,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Judicial Magistrate,
Thirumangalam.

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RK(15/12/2021) 2P 4C

MGJ(01.04.2022) 2P 4C
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