



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.18919 of 2021

and

Crl.M.P. (MD)Nos.10508 & 10509 of 2021

WEB COPY

1.Anandhan
2.R.Subbaiah
3.S.Manoranjitham
4.Rajeshwari
5.Indhira

... Petitioners/
Accused Nos.1 to 5

vs.

1.The State rep. by
The Sub Inspector of Police,
All Woman Police Station (Thilagar Thidal),
Madurai City,
Madurai.
(Cr.No.19/2018)

... 1st Respondent / Complainant

2.A.Umarani

... 2nd Respondent /
defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned charge sheet made in C.C.No.821 of 2019 on the file of the Judicial Magistrate cum Additional Mahila Court, Madurai and quash the same as illegal.

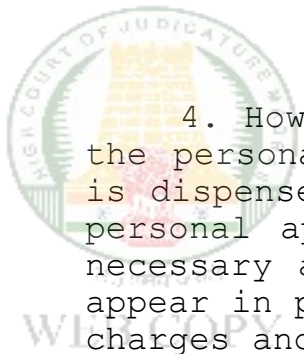
For Petitioner : Mr.P.R.Prithviraj
For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.821 of 2019 on the file of the Judicial Magistrate cum Additional Mahila Court, Madurai.

2. The second respondent is the defacto complainant. It is a matrimonial complaint. The petitioners are facing trial for the offences under Section 498 A and 406 of IPC. In the very nature of things, a case of this nature cannot be quashed as contentious facts are involved.

3. 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 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.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

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

- 1.The Judicial Magistrate cum Additional Mahila Court,
Madurai.
- 2.The Sub Inspector of Police,
All Woman Police Station (Thilagar Thidal),
Madurai City,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.18919 of 2021
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TSK(CO)
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