



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.18973 of 2021

and

Crl.M.P.(MD)Nos.10530 & 10531 of 2021

WEB COPY

R.Maheshwari

... Petitioner / Sole Accused

vs.

1.The State rep. by
Sub Inspector of Police (Crime)
Kovilpatti East Police Station,
Thoothukudi District.
(In Crime No.902/2020)

2.Sowraba

... Respondents /
defacto Complainants

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.83 of 2021 on the file of the Judicial Magistrate No.I, Kovilpatti, Thoothukudi District and quash the same as devoid of merits.

For Petitioner : Mr.A.Haja Mohideen

For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed for quashing the proceedings in C.C.No.83 of 2021 on the file of the Judicial Magistrate No.I, Kovilpatti.

2. The petitioner is facing trial for the offences under Sections 406, 417 & 420 of IPC. The defacto complainant has alleged that the petitioner has taken a sum of Rs.7,52,000/- from her by promising to arrange a job in the infosys company.

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

4. I am not persuaded by any of the contentions. The petitioner has to necessarily establish her innocence only before



the trial Court. The learned Additional Public Prosecutor points out that already eight witnesses have been examined. The question of invoking the inherent powers of this Court does not arise. Leaving open the petitioner's defences, this Criminal Original Petition is dismissed.

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5. However, taking note of the overall facts and circumstances, the personal appearance of the petitioner before the court below is dispensed with. The learned trial Magistrate shall insist on the personal appearance of the petitioner only when it is absolutely necessary and imperative. The petitioner 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 petitioner can be represented through her counsel. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// 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 No.I, Kovilpatti, Thoothukudi District.
- 2.The Sub Inspector of Police (Crime)
Kovilpatti East Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.18973 of 2021
01.12.2021

_RD(03.12.2021) 2P 4C