



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19801 of 2021

and

Crl.M.P. (MD)Nos.11131 and 11135 of 2021

Suganya

... Petitioner/2nd Accused

Vs.

1. The Inspector of Police,
All Women Police Station,
Cantonment, Trichy.
(Crime No.16/2020).

2. Nagalakshmi

... Respondents/Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records of the C.C.No.376 of 2021 on the file of the Judicial Magistrate, Additional Mahila Court, Trichy and quash the same against the petitioner/Accused 2 concerned.

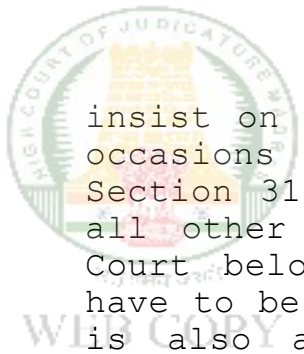
For Petitioner : Mr.S.Pandiyaraj
For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1.

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the first respondent.

2.The petitioner is facing trial in C.C.No.376 of 2021 on the file of the Judicial Magistrate, Additional Mahila Court, Trichy

3.The learned counsel for the petitioner reiterated all the contentions set out in the memorandum of grounds. I am not however persuaded by the same. As rightly pointed out by the learned Additional Public Prosecutor, consideration of those contentions would necessarily involve undertaking a factual analysis. Under Section 482 of CrPC, I cannot do so. This criminal original petition is dismissed. However, taking into account the fact that the petitioner is a women, her personal appearance before the Court below is dispensed with. However, the Court below will



insist on the personal appearance of the petitioner only on three occasions namely, to answer the charge, for examination under Section 313 of CrPC and at the time of pronouncing Judgment. On all other occasions, the petitioner need not appear before the Court below. However, on those occasions, the petitioner will have to be represented by her counsel. If the petitioner's counsel is also absent, the benefit of dispensing with the personal appearance of the petitioner will stand automatically vacated. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Additional Mahila Court,
Trichy.
2. The Inspector of Police,
All Women Police Station,
Cantonment,
Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P (MD) No.19801 of 2021

14.12.2021

USK (28.12.2021) 2P 4C