



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**

Crl.O.P.(MD) No15199 of 2018

and Crl.M.P.(MD) .Nos.6723 and 6724 of 2018

WEB COPY

1.Muthupandi
2.Muniyasamy
3.Ananthapandiyan
4.Alagar
5.Muthupandi
6.Sivakumar

.. Petitioners/Accused Nos.1 to 6

Vs.

1.The State through Inspector of Police,
All Women Police Station,
Melur, Madurai District.
In Crime No.15 of 2012.

.. 1st Respondent/Complainant

2.Sheeladevi

.. 2nd respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in C.C.No.80/2013 pending on the file of the Judicial Magistrate, Melur and to quash the same.

For Petitioners	: Mr.S.Mahesh Babu
For Respondents	: Mr.M.Muthumanikkam for R1 Counsel for Government of Tamil Nadu (Crl. Side)

ORDER

This petition has been filed seeking quashment of the proceedings in C.C.No.80/2013 pending on the file of the Judicial Magistrate, Melur.

2.The case was registered against this petitioner for the offences punishable under Sections 147, 148, 307 IPC and Sections 3 and 4 of the TamilNadu Prohibition of Harassment of Women Act. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that only as a counter blast to the FIR in Crime No.17 of 2012, the case has been registered and no specific overt act has been attributed against this petitioner. On going through the FIR and final report, it appears that serious allegation has been made against these petitioners. The learned counsel for the



dispense with the personal appearance of the accused before the trial Court.

3.The identity of the persons are also involved in the issue. Hence, except the second petitioner, who is aged about 61 years, all other petitioners to appear before the trial Court. The appearance of the second petitioner before the trial Court is dispensed with on the following condition.

(i)The second petitioner shall appear before the trial Court namely the Judicial Magistrate Court, Melur, within a period of 15 days from the date of receipt of a copy of this order and file an undertaking affidavit, by affixing his recent passport size photograph, to the effect that he will appear before the trial Court as and when required and must ensure his proper representation through Advocate.

4.Further since the matter is of the year 2013, there shall be a direction to the learned Judicial Magistrate, Melur, to expedite the trail and dispose of the same on merits within a period of five months from the date of receipt of a copy of this order. After disposing the same compliance report must be submitted to the Registry.

5.With the above directions, this criminal original petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

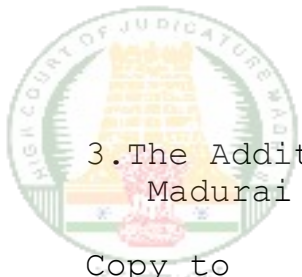
Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate, Melur.

2.The Inspector of Police,
All Women Police Station,
Melur, Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Registrar Judicial,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S. MAHESH BABU, Advocate (SR-34857[F] dated 17/11/2021

Crl.O.P. (MD)No15199 of 2018
16.11.2021

DKS (CO)
KB(03.12.2021) 3P 6C