



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 6/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Criminal Original Petition No.10199 of 2022

a n d

Criminal Miscellaneous Petition No.6042 of 2022

- | | |
|------------------|---|
| 1. Munusamy | ..1 st Petitioner/1 st Accused |
| 2. Palaiyur Mani | ..2 nd Petitioner/2 nd Accused |
| 3. Sivagami | ..3 rd Petitioner/3 rd Accused |
| 4. Baranitharan | ...4 th Petitioner/4 th Accused |

Vs

- | | |
|---|---|
| 1. The Inspector of Police
Karimangalam Police Station
Dharmapuri District. | .. Respondent/Complainant |
| 2. Nagarani | ...2 nd Respondent/Defacto Complainant |

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records and quash the proceedings in C.C.No.11 of 2022 pending on the file of the learned Judicial Magistrate Court, Palacode.

For Petitioner ... Mr.P.Muthamizh Selvakumar

For Respondent ... Mr.A.Gokulakrishnan
Additional Public Prosecutor
for R.1.

- - - - -

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.11 of 2022 pending on the file of the learned Judicial Magistrate Court, Palacode.

2. Heard Mr.P.Muthamizh Selvakumar, learned counsel appearing for the petitioner and Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the first respondent.

3. On going through the final report, this Court is of the view that same require appreciation of evidence. All factual aspects raised before this Court cannot be decided by this Court as trial Court.



4. Accordingly, this Criminal Original Petition is dismissed.

5. At this stage, the learned counsel appearing for the petitioners seek indulgence of this Court to dispense with the personal appearance of the petitioners before the trial Court.

6. Taking into consideration, the facts and circumstances of the case, the presence of the petitioners before the Trial Court is dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., or on any other date as may be required by the trial Court. They shall be represented by a counsel, who shall cross examine the witnesses on the same day, when they are examined in Chief.

Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mvs.
To

1. The Judicial Magistrate Court, Palacode.
2. The Inspector of Police
Karimangalam Police Station
Dharmapuri District.
3. The Public Prosecutor
High Court
Madras.

+1 cc to Mr.P.Muthamizh Selvakumar, Advocate Sr.NO. 32689

Cr1. O.P. No. 10199 of 2022

ssm(CO)
A.SK(17/06/2022)