



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.59 of 2022

and

Crl.M.P.(MD)Nos.73 & 74 of 2022

WEB COPY

1.Anand

2.Rameshpandi

3.S.M.Palani

4.Kavitha

5.Raji

6.Poomayil

... Petitioners / Accused Nos.1 to 6

Vs

1.The Inspector of Police,
Thirunagar Police Station,
Madurai City,
Madurai.

(Crime No.1013 of 2020) ... 1st Respondent/Complainant

2.Selvakumar

... 2nd Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records relating in C.C.No.515 of 2021 pending on the file of the learned Judicial Magistrate No.VI, Madurai and quash the same.

For Petitioners

: Mr.G.Karuppasamy Pandiyan

For R1

: Mr.E.Antony Sahaya Prabahar

Additional Public Prosecutor

ORDER

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

2. This Criminal Original Petition has been filed to quash the proceedings in C.C.No.515 of 2021 on the file of the learned Judicial Magistrate No.VI, Madurai.



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

4. Though they are quite persuasive, since contentious facts are involved, I am not in a position to consider the same. This Criminal Original Petition is dismissed. All the contentions of the petitioners are left open. I have not gone into the merits of the matter.

5. 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(AD-I)

// True Copy //

/ /2022

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.VI, Madurai.

2.The Inspector of Police,
Thirunagar Police Station,
Madurai City, Madurai.

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

CrI.O.P(MD)No.59 of 2022
05.01.2022

NSN(CO)

TR(31.01.2022) 2P 4C