



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1684 of 2022

and

Cr.M.P(MD)Nos.1225 & 1228 of 2022

1.L.Jebaseela

2.P.Velraj

... Petitioners/
Accused Nos.1 & 2

Vs.

1.The Inspector of Police,
District Crime Branch,
Thoothukudi District.
(Crime No.63 of 2014)

... 1st Respondent/Complainant

2.R.Prabhu

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in C.C.No.259 of 2017 on the file of Judicial Magistrate No.4, Thoothukudi and quash the same as illegal as against the petitioners / Accused Nos.1 and 2.

For Petitioners : Mr.N.Mohideen Basha
For Respondents : Mr.M.Sakthi Kumar
Government Advocate
(Crl.Side) for R.1

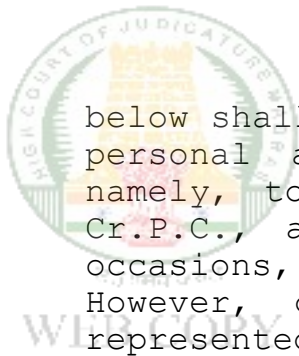
ORDER

Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the first respondent.

2. The petitioner's counsel reiterated all the contentions set out in the memorandum of grounds.

3. Since they are factually contentious, I am not inclined to entertain the same. Leaving open all the defenses of the petitioners, this Criminal Original Petition is dismissed.

4. Taking into consideration the facts and circumstances of the case, the personal appearance of the petitioner before the Court



below shall stand dispensed with. The Court below will insist on the personal appearance of the petitioner only on three occasions namely, to answer the charges, examination under Section 313 of Cr.P.C., 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 his counsel. If the petitioner's counsel is also absent, the benefit of dispensing the personal appearance of the petitioner will stand automatically vacated. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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.4,
Thoothukudi.
- 2.The Inspector of Police,
District Crime Branch,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.1684 of 2022

and

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SAR(CO)

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