



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1149 of 2022
and
Crl.M.P. (MD)No.830 of 2022

G.Veerapandi ... Petitioner/Sole Accused
Vs.

1.The State represented by
The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(Crime No.20 of 2020) ...1st Respondent/Complainant

2.P.Karuppasamy ... 2nd Respondents/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the case in Special S.C.No.14 of 2020 pending on the file of the Special Court for POCSO Act Cases, Sivagangai District and quash the same as against the petitioner.

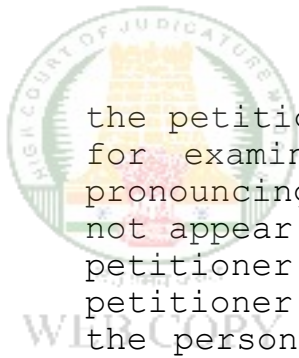
For Petitioner : Mr.R.Anand
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1.

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the first respondent.

2.The learned counsel for the petitioner reiterated all the contentions set out in the memorandum of grounds. Though they are quite persuasive, in case of this nature, the petitioner has to necessarily establish the same only before the Court below.

3.Leaving open the petitioner's contentions and defences, this criminal original petition is dismissed. However, taking into account the overall facts and circumstances, the personal appearance of the petitioner 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 his 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 petition is closed.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2022

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 Special Court for POCSO Act Cases,
Sivagangai District.
- 2.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD)No.1149 of 2022
24.01.2022

RK(03/02/2022) 2P 4C