



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P(MD)No.1524 of 2022

and

CrI.M.P(MD)Nos.1103 & 1104 of 2022

WEB COPY

- 1.Raju
- 2.Palaniyammal
- 3.Devaki
- 4.Sureshkumar
- 5.Mohanambal

... Petitioners/
Accused Nos.2 to 6

Vs.

- 1.The State represented by
The Inspector of Police,
All Woman Police Station,
Thallakulam,
Madurai City.
(Crime No.32 of 2018)

... 1st Respondent/
Complainant

- 2.Pandiselvi

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to the charge sheet in C.C.No.90 of 2020 on the file of the Additional Mahila Court, Madurai and quash the same as against the petitioners/Accused Nos.2 to 6 are concerned.

For Petitioners : Mr.A.Thiyagarajan
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor for R.1

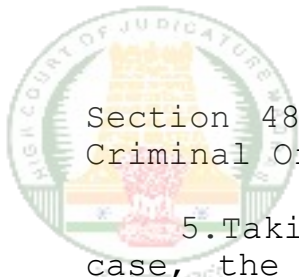
ORDER

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 impugned prosecution. It is a matrimonial case.

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

4. Since they are contentious in nature, it is not possible for this Court to consider the same while exercising jurisdiction under



Section 482 Cr.P.C. Leaving open the petitioner's defences, this Criminal Original Petition is dismissed.

5.Taking into consideration the facts and circumstances of the case, the personal appearance of the petitioners before the Court below shall stand dispensed with. The Court below will insist on the personal appearance of the petitioners 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 petitioners need not appear before the Court below. However, on those occasions, the petitioners 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 petitioners will stand automatically vacated. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

// 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 Additional District & Sessions Judge,
Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
All Woman Police Station,
Thallakulam,Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RK(15/02/2022) 2P 4C