



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P(MD)No.2069 of 2022

and

CrI.M.P. (MD)Nos.1530 and 1532 of 2022

S.K.Radha

... Petitioner

Vs.

R.Rajalakshmi

... Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the case in S.T.C.No.12 of 2020 on the file of the Fast Track Court No.I (Magisterial Level), Madurai and to quash the same as illegal.

For Petitioner : Mr.K.Shanmugaraja

ORDER

The petitioner is facing trial in S.T.C.No.12 of 2020 on the file of the Fast Track Court No.I (Magisterial Level), Madurai, for the offence under Section 138 of the Negotiable Instruments Act.

2.The learned counsel for the petitioner reiterated all the contentions set out in the memorandum of grounds. Since contentious facts are involved, I am not in a position to consider the same on merits in exercise of power under Section 482 of CrPC.

3.Leaving open all the petitioner's defences and contentions, this criminal original petition is disposed of. The petitioner is a woman. Therefore, 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 her 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 petitions are closed.

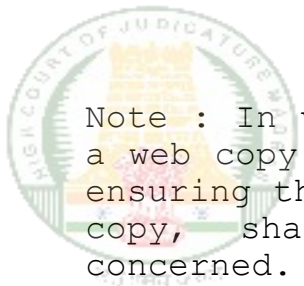
Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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.

WEB COPY

The Judicial Magistrate,
The Fast Track Court No.I
Madurai.

+1 CC to M/s.K.SHANMUGA RAJA, Advocate (SR-3791[F] dated 02/02/2022)
CrI.O.P(MD)No.2069 of 2022
02.02.2022

sb(CO)
GC(17.02.2022) 2P 3C