



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.03.2022

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.1377 of 2019
and
Crl.MP(MD)Nos.666 & 667 of 2019

1.K.G.Ashok

2.Uma ... Petitioners/Accused No.1 & 2

Vs.

1.The State rep by
The Inspector of Police,
Pattukkottai Town Police Station,
Pattukkottai,
Thanjavur District.
In Crime No.122 of 2015. ... 1st Respondent/Complainant

2.G.Kannan ... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for records of learned Judicial Magistrate, Pattukottai, in C.C.No.240 of 2018 and quash the same as against the petitioners.

For Petitioners : Mr.S.Deenadhayan
For R1 : Mr.B.Nambi Selvan,
Additional Public Prosecutor
For R2 : No Appearance

O R D E R

This petition is filed seeking quashment of case in C.C.No.240 of 2018 on the file of the learned learned Judicial Magistrate, Pattukottai.

2. On 01.03.2022, after hearing the learned counsel for the petitioners, this Court has come to the conclusion that no ground was made out for quashing this petition and reserved the matter 'for orders'. At this juncture, the learned counsel for the petitioners has submitted that he has restricted his prayer only with regard to dispense the personal appearance of the petitioners before the Trial Court. But, the matter was wrongly listed today under the caption



'for orders'.

3.Considering the request made by the learned counsel for the petitioners and also considering the fact that the defacto complainant is the brother of the first petitioner and in view of the pendency of the civil suit between the parties, their personal appearance is dispensed with before the Trial Court, with the following conditions:-

They must appear before the Trial Court within 15 days from the date of receipt of a copy of this order and they shall file an undertaking affidavit that they will appear before the concerned Court as and when required, by affixing attested photo. they must engage a lawyer to represent them.

4.Further, the learned Judicial Magistrate, Pattukottai, shall conclude the trial process within a period of five months from the date of receipt of a copy of this order. After completion of the trial, compliance report must be submitted to the Registry of this Court.

5.With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Dss

To

- 1.The Judicial Magistrate,
Pattukottai.
- 2.The Inspector of Police,
Pattukkottai Town Police Station,
Pattukkottai,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to

The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-14726[F] dated
25/03/2022)

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KG (CO)
KB (04.04.2022) 3P 6C