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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:18.04.2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.4866 of 2019

and

Crl.MP(MD)No.3026 of 2019

Kankairaj

... Petitioner/2nd Accused

vs.

1. The State Represented by,
The Inspector of Police,
AWPS-Fort,
Trichy.

... Respondent/Complainant

2. Angayarkanni

... Respondent/Defacto
Complainant

3.Sureshkumar

... 3rd Respondents

(R3 is suo-motu impleaded as per the Court order dated 23.02.2022 in Crl.OP(MD)No.4866 of 2019 by GIJ)

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the record and quash the charge sheet filed in C.C.No.192 of 2018 as against the petitioner on the file of the Additional Mahila Court at Trichy.

For Petitioner : Mr.P.Sesubalan Raja

For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

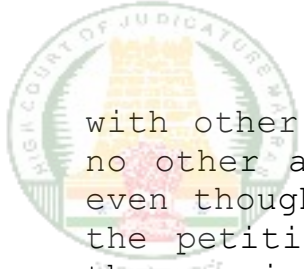
For R2 : Mr.B.Jameel Arasu

O R D E R

This petition is filed seeking quashment of C.C.No.192 of 2018 against the petitioner on the file of the Additional Mahila Court at Trichy.

2.When the matter is taken up for hearing, the learned Government Advocate (Crl.Side) would submit that two witnesses were examined before the Trial Court.

3.The learned counsel for the petitioner would submit that the petitioner is in bed-ridden and he is not in a position to appear before the Trial Court. This petition is filed mainly on the ground that except the allegation that the petitioner joined



with other accused, assaulted the defacto complainant with a belt, no other allegation has been made against him. According to him, even though, several complaints have been given against the son of the petitioner, who is the husband of the defacto complainant on the previous occasions, not even a single word of allegation was made against this petitioner.

4. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in bed-ridden, his personal appearance is dispensed with before the Trial Court, with the following conditions:-

He must appear before the Trial Court. He will appear before the concerned Court as and when required. He must engage a lawyer to represent him.

5. Further, considering the matter is of the year 2018, there shall be a direction to the Additional Mahila Court at Trichy, to 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.

6. With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dss

To

1. The Judge, Additional Mahila Court, Trichy.
2. The Inspector of Police, AWPS-Fort, Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
4. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

Cr1.OP(MD)No.4866 of 2019
and
Cr1.MP(MD)No.3026 of 2019
18.04.2022