



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.18534 of 2021

and

Crl.M.P(MD)Nos.10229 & 10230 of 2021

WEB COPY

1.Murali  
2.Kamala  
3.Suresh

... Petitioners/Accused Nos.1, 3 & 4

Vs.

1.The Inspector of Police,  
All Women Police Station,  
Melur,  
Madurai District.  
(In Crime No.30 of 2016).

... 1<sup>st</sup> Respondent/Complainant

2.Malliga

... 2<sup>nd</sup> Respondent/  
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to C.C.No.47 of 2019 on the file of the learned Judicial Magistrate, Melur, Madurai District and quash the same as against the petitioners.

For Petitioners : Mr.S.Vikram

For R - 1 : Mr.K.Sanjai Gandhi  
Government Advocate (Crl. Side)

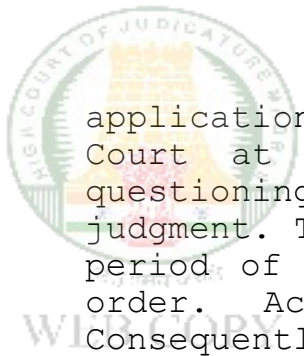
For R - 2 : Mr.V.R.Venkatesan

### ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.47 of 2019 on the file of the learned Judicial Magistrate, Melur, Madurai District as against the petitioners.

2.When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the first respondent would submit that already trial commenced and L.W.1, 3 and 4 were examined as P.W.1 to P.W.3.

3. In view of the above submission, when the trial commenced by the trial Court, the quash petition cannot be entertained. However, the personal appearance of the petitioners are dispensed with and they shall be represented by a counsel after filing appropriate



application. However, the petitioners shall be present before the Court at the time of furnishing of copies, framing charges, questioning under Section 313 Cr.P.C. and at the time of passing judgment. The trial Court is directed to complete the trial within a period of three months from the date of receipt of copy of this order. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

**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 Judicial Magistrate,  
Melur, Madurai District.
- 2.The Inspector of Police,  
All Women Police Station,  
Melur,  
Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.V.R.VENKATESAN, Advocate (SR-12278[F] dated 15/03/2022 )

**Crl.O.P(MD)No.18534 of 2021  
11.03.2022**

RK(24/03/2022) 2P 5C