



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.R.C. (MD)No.919 of 2021
&
Crl.M.P (MD)No.10964 of 2021

Neela

... Petitioner/Defacto Complainant

Vs.

1. The State represented by
The Inspector of Police,
Fort All Women Police Station,
Tiruchirappalli.
In Crime No.10 of 2019 ... 1st Respondent/Respondent/
Complainant
2. Ramkumar
3. Kalyani
4. Lakshmi Narayanan ... Respondents 2 to 4/
Respondents 2 to 4/
Accused Nos. 1, 4 & 5

Prayer : This Criminal Revision Case has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records relating to the proceedings, dated 20.10.2021 made in Crl.M.P.No.3 of 2021 in C.C.No.2168 of 2019 on the file of the learned Judicial Magistrate, Additional Mahila Court, Tiruchirappali and set aside the same.

For Petitioner : Mr.P.Arun Jayatram
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)
for R.1

Mr.C.Gangai Amaran
for R.2 to R.4.

O R D E R

This Criminal Revision Case has been filed to set aside the proceedings, dated 20.10.2021, made in Crl.M.P.No.3 of 2021 in C.C.No.2168 of 2019 on the file of the learned Judicial Magistrate, Additional Mahila Court Court, Tiruchirappali and thereby, allowed the petition under Section 205 Cr.P.C and allow this revision.



2. While allowing the said petition, the trial Court imposed the following conditions:-

"1. The Crl.M.P.Mo.03/2021 in C.C.No.2168/2019 is allowed and

2. The Physical appearance of the petitioners / A.1, A.4 and A.5 is dispensed in C.C.No.2168/2019, for the time being, and permitted them appear through their learned counsel, on condition that whenever this Court directs for appearance the A.1, A.4 and A.5 shall appear before this Court without adopting delaying tactics and,

3. The petitioner/ A.1, A.4 and A.5 shall appear through the Video Conference from the remote site as per rules in force, whenever this Court directs.

4. There shall be no order as to costs."

3. Now, the case is posted for first appearance of the accused persons. However, the learned counsel for the petitioner would submit that all the accused persons are in abroad. When the Court below allowed the petition filed under Section 205 Cr.P.C, imposed the specific condition that whenever the trial Court directs the appearance of the accused persons, they shall appear before the trial Court without adopting delaying tactics.

4. In view of the above, the trial Court is directed to post the matter for trial on the first week of June 2022 and on the date fixed by the trial Court, the respondents 2 to 4 and other accused persons shall appear before the trial Court and co-operate for trial, failing which, the order passed by the trial Court in Crl.M.P.No.3 of 2022 shall stand automatically dismissed.

5. With these directions, this Criminal Revision Case is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

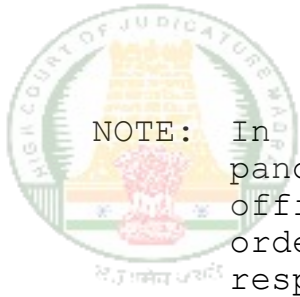
Assistant Registrar (CS I)

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/ /2022

Sub Assistant Registrar(CS)

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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

To:

1. The Judicial Magistrate,
Additional Mahila Court,
Tiruchirappali.
2. The Inspector of Police,
Fort All Women Police Station,
Tiruchirappalli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section Officer, Criminal Section (Records),
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C. GANGAI AMARAN, Advocate (SR-18668[F] dated
13/04/2022)

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MGJ (04.05.2022) 3P 7C