



Crl.O.P.(MD) No.20113 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2022

CORAM

THE HON'BLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

CRL.O.P(MD)No.20113 of 2022

and

Crl.M.P(MD)No.13945 of 2022

1.Abdul Rasik
2.Abdul Wahab
3.Hajira
4.Ghulam

...Petitioners

-VS-

1.The Inspector of Police,
All Women Police Station,
Keelakarai, Ramanathapuram District.
(in Cr.No.24 of 2015)

2.Hajira

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in C.C.No.40 of 2021 on the file of the learned Judicial Magistrate Court, Additional Mahila Court, Ramanathapuram and to quash the same.

For Petitioners : Mr.M.Mahaboob Athiff

For R1 : Mr.R.Suresh Kumar
Government Advocate (Crl.side)



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ORDER

The learned Counsel for the Petitioners submitted that this Petition had been filed to quash the case in C.C.No.40 of 2021 on the file of the learned Judicial Magistrate Court, Additional Mahila Court, Ramanathapuram.

2.When the case is taken up for hearing, the learned Counsel for the Petitioner submitted that based on the matrimonial dispute, the De-Facto Complainant had lodged the present complaint and he seeks direction from this Court to direct the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram, to dispose of the case in C.C.No.40 of 2021 within a specified time to be fixed by this Court.

3.Considering the submission of the learned Counsel for the Petitioner, the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram, is directed to dispose of the case in C.C.No.40 of 2021, within a reasonable period of three months from the date of appearance of all the accused. The Petitioners and other accused shall cooperate with the pending trial. The learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram, shall act as



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per the reported Ruling of the Honourable Supreme Court in the case of ***P.K.Shaji -vs- State of Kerala [(2005)AIR SCW 5560]***, regarding the conduct of the accused during the trial proceeding and also as per the reported Ruling of the Honourable Supreme Court in the case of ***Vinod Kumar -vs- State of Punjab reported in (2015) 1 MLJ (Crl) 288 (SC)***, regarding the cross examination of the witnesses, when they are present before the Court and shall not exercise leniency in re-calling the witnesses under Section 311 Cr.P.C.

4.With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

25.11.2022

Index:Yes/No

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- 1.The Judicial Magistrate Court,
Additional Mahila Court, Ramanathapuram.
- 2.The Inspector of Police,
All Women Police Station,
Keelakarai, Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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