



Crl.O.P.(MD)No.11781 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD)No.11781 of 2021

and

Crl.M.P(MD)No.6037 of 2021

Vignesh

.. Petitioner/1st Accused

Vs.

1. The Inspector of Police,
All Women Police Station,
Thilagar Thidal,
Madurai.

2. Venkateswari

.. Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for records and to quash the C.C.No.342 of 2020 on the
file of the Additional Mahila Court (Judicial Magistrate), Madurai and
quash the same.



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For Petitioner : Mr.A.Rajaram
For Respondents : Mr.P.Kottaichamy,
Government Advocate(Crl.Side)
for R1

: Mr.S.Velmurugan for R2

ORDER

When the matter is taken up for hearing the learned counsel for the petitioner submitted that eventhough there are some arguable points in this petition, he seeks permission of this Court to raise all the points before the trial Court at the time of trial. He further requested this Court to dispense with the appearance of the petitioner before the trial Court during trial. He also submitted that since this case is pending from 2020 onwards, this Court may issue a direction to the trial Court to dispose the case within a time frame.

2. This Court is inclined to accept the request of the petitioner.

Hence, this petition is disposed of with the following directions:

1. The learned Additional Mahila Court (Judicial Magistrate), Madurai, is directed to dispose the case in C.C.No.342 of 2020 within a period of six months from the date of receipt of a copy



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of this order.

2. The petitioner is directed to raise all the points before the trial Court.
3. The appearance of the petitioner is dispensed with before the trial Court on all hearing dates except the following hearings:
 - (i) The date of furnishing copies under Section 207 Cr.P.C, and initial questioning to answer the charges;
 - (ii) The date of questioning under Section 313 Cr.P.C;
 - (iii) On the date of Judgement.
- 3.1. The petitioner is directed to give an undertaking in the form of affidavit that he will be duly represented by a counsel on all hearing dates.
- 3.2. The petitioner shall not dispute the identity of the witnesses.
- 3.3. The petitioner shall appear before the Court in the event his presence is insisted by the trial judge for the purpose of identification.
- 3.4. If the petitioner adopt any dilatorial tactics, it is open to the Trial Court to insist for his appearance and deal with the petitioner in accordance with the judgment of Supreme Court of India in



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State of Uttar Pradesh Vs. Shambunath Singh, reported in 2001

(4) SCC 667.

Consequently, connected miscellaneous petition is closed.

12.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

PJL

Note: Issue order copy on 15.12.2023.

To

1. The Additional Mahila Judge (Judicial Magistrate),
Madurai.
2. The Inspector of Police,
All Women Police Station,
Thilagar Thidal, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

PJL

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