

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.08.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.14468 of 2023
Crl.M.P(MD).Nos.11390 and 11391 of 2023

1.G.Balasubiramaniyan

2.B.Sabariganesh

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep.by the Inspector of Police,
Bazzar Police Station,
Ramanathapuram District.

2.G.Muthuveerapandian

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned charge sheet in C.C.No.420 of 2022 on the file of the Judicial Magistrate Court No.1, Ramanthapuram District in Crime No.533 of 2020 under Sections 294(b), 323, 324 and 506(2) IPC on the file of the first respondent and quash the same as illegal.

For Petitioner : Mr.K.Dinesh

For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed seeking quashment of C.C.No.420 of 2022 filed against the petitioners for the offence punishable under Sections 294(b), 323, 324 and 506(2) IPC.

2. During the course of submissions, the learned counsel appearing for the petitioners submits that even though the petitioners have filed a petition for quashment of C.C.No.420 of 2022, since the first petitioner is aged about 65 years old and the second petitioner is a Professor in a College, if their presence is dispensed with, it will meet the ends of justice and the petitioners will not insist for main relief.

3. Considering the circumstances, this Criminal Original Petition is disposed of directing the learned Judicial Magistrate Court No.1, Ramanthapuram District, to expedite the trial in C.C.No.420 of 2022 and in the meanwhile, during the course of trial, the presence of the

petitioners is dispensed with. However, both the petitioners are directed to be present in the Court as directed by the learned Judicial Magistrate Court No.1, Ramanthapuram District, for answering the charges and examination under Section 313 Cr.P.C and for smooth progress of the case. Consequently, Crl.M.P(MD).No.11391 of 2023 is allowed and Crl.M.P(MD).No.11390 of 2023 is closed.

Index : Yes/No
Internet : Yes/No
ssb

16.08.2023

To

- 1.The Inspector of Police,
Bazzar Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

DR.D.NAGARJUN. J.

ssb

Crl.O.P.(MD)No.14468 of 2023

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