



Crl.O.P(MD).No.5966 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2024

CORAM :

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

Crl.O.P(MD).No. 5966 of 2021 and
Crl.M.P(MD).No.3430 of 2021

Rajkumar

... PetitionerA1

Vs.

**1.The State Rep. by
the Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
(Crime No.131 of 2019)**

2.Vidhya Sethuraman

... Respondents

PRAYER:- Petition filed under Section 482 Cr.P.C., to call for the records in relating to the charge sheet in C.C.No.162 of 2020 on the file of the Judicial Magistrate No.I, Tirunelveli and quash the same.

**For Petitioner
For Respondent**

**: Mr.J.Anandkumar
: Mr.R.M.Anbunithi
Addl. Public Prosecutor (for R1)**

Mr.J.Sathia Raj (for R2)



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ORDER

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The petitioner has filed this petition seeking quash of C.C.No.162 of 2020 on the file of the Judicial Magistrate No.I, Tirunelveli against this petitioner.

2. The offences with which the petitioner has been charged are under Sections 448, 294(b), 506(1) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 67 of Information Technology Act. It is seen that there are some averments against the petitioner in the complaint. Therefore, it is not possible for this Court to quash the proceedings as such.

3. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is given liberty to raise all his contentions, including the contentions raised in this Criminal Original Petition at the time of trial. Consequently, the connected Miscellaneous Petition is closed.

4. In the circumstances, the learned counsel appearing for the petitioner seeks to dispense with the personal appearance of the petitioner before the trial Court.



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5. Taking into consideration of the request as made by the learned counsel for the petitioner, the appearance of the petitioner before the trial court is dispensed with except for his appearance for the purpose of receiving the copy of the proceedings u/s 207 Cr.P.C., framing of charges, questioning under Section 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioner is necessary, the trial court, at its wisdom, shall direct those appearance on those days.

03.04.2024

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order
skn

To

1.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,

2. The Judicial Magistrate No.I, Tirunelveli.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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A.A.NAKKIRAN, J.

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CrI.M.P(MD).No.3430 of 2021

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