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CrI.O.P.(MD)No.8398 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.(MD) No.8398 of 2022

and

CrI.M.P.(MD).No.5649 of 2022

1.Maninathan @ Nesamani

2.Fr.K.Arockiasamy

... Petitioners

Vs.

Sheeba Helan Hebshibai,
Joint Admin Executive cum Computer Instructor,
Pearl Trust having its branch office at
No.121, J.K.Nagar, Khajamalai,
Trichy-620 023.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.62 of 2022 on the file of the learned Judicial Magistrate, Additional Mahila Court, Tiruchirappalli and quash the same as against the petitioners/accused Nos.1 and 2.

For petitioners : Mr.N.Mohideen Basha

For Respondent : No appearance



ORDER

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This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.62 of 2022, on the file of the learned Judicial Magistrate, Additional Mahila Court, Tiruchirappalli, against the petitioners.

2. The case of the prosecution is that the respondent is the Joint Admin Executive Cum Computer Instructor of Pearl Trust. On 30.09.2021, some unknown hooligans shook the gate, out of which, three of them were in intoxicated manner and asked the respondent to open the gate and abused the respondent and watchman in filthy words. Hence, the respondent has made a private complaint before the trial Court and the same was taken on file in C.C.No.62 of 2022 for the offence punishable under Sections 34, 294(b), 506(1) and 457 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

3. The learned counsel appearing for the petitioners would submit that it would suffice if this Court directs the Court below to dispose of C.C.No.62 of 2022 within a time stipulated and may consider to dispense with the personal appearance of the petitioners before the court below.



4. Though notice has been served to the respondent, there is no representation of the respondent.

5. Taking into consideration the request made by the learned counsel for the petitioners, the appearance of the petitioners before the trial court is dispensed with except for their 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 petitioners is necessary, the trial court, at its wisdom, shall direct their appearance on those days.

6. Since the case is pending from the year 2022, the trial Court is directed to complete the trial in C.C.No.62 of 2022 and dispose of the same within a period of three (3) months from the date of receipt of a copy of this order and if the respondent is not co-operating for the trial, the trial Court may pass appropriate orders in terms of Section 256 of Cr.P.C.



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7. Accordingly, this Criminal Original Petition is disposed of.

Connected miscellaneous petition is closed.

19.03.2024

Index : Yes/No

Internet : Yes/No

ssb

To

The learned Judicial Magistrate, Additional Mahila Court,
Tiruchirappalli.



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M.DHANDAPANI. J.

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