



Crl.O.P.(MD)No.10885 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2024

CORAM:

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

Crl.O.P.(MD)No. 10885 of 2021

and

CrIMP(MD)Nos.5537 & 5538 of 2021

Abisha

... Petitioner / Accused No.2

Vs.

1.The State Rep by
The Inspector of Police,
Mandaikadu Police Station,
Kanyakumari District.
(Crime No.41 of 2019)

... 1st Respondent/Complainant

2.K.Ponnusamy

... 2nd Respondent/Defacto
Complainant

Prayer:Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records relating to the charge sheet filed in C.C.No.56 of 2020 on the file of the Judicial Magistrate Court, Eraniel and quash the same as illegal insofar as the petitioner is concerned.



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For Petitioner : Mr.R.Gandhi
For R1 : Mr.K.R.M.Anbunithi
Additional Public Prosecutor
For R2 : Mr..Rajasekar

ORDER

This petition has been filed to quash the C.C.No.56 of 2020 on the file of the Judicial Magistrate Court, Eraniel.

2.The learned counsel appearing for the petitioners would submit that he restricts his prayer only with regard to dispense the personal appearance of the petitioners before the Trial Court.

3.In view of the submission made by the learned counsel for the petitioner, the personal appearance of the petitioners is dispensed with except for her 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 her appearance on those days.



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4. With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petitions are closed.

25.04.2024

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

To

1. The Judicial Magistrate Court,
Eraniel.
2. The Inspector of Police,
Mandaikadu Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.A.NAKKIRAN, J.,

dss

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