



Crl.O.P(MD).No.18417 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2024

CORAM :

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

Crl.O.P(MD).No. 18417 of 2022 and
Crl.M.P(MD).Nos.12356 and 12357 of 2022

Kallyul Rahman

... Petitioner

Vs.

1.The State Rep. by
the Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(Crime No.79 of 2019)

2.Shahen Parveen

... Respondents

PRAYER:- Petition filed under Section 482 Cr.P.C., to call for the records in STC.No.255 of 2020 on the file of the Judicial Magistrate No.I, Kumbakonam and quash the same as against the petitioner.

For Petitioner : Mr.R. Ponkarthikeyan

For Respondent No.1 : Mr.K.Sanjai Gandhi

Government Advocate (Crl. Side)

ORDER

The petitioner has filed this petition seeking quash of



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STC.No.255 of 2020 on the file of the Judicial Magistrate No.I,
Kumbakonam against this petitioner.

2. The offences with which the petitioner has been charged are under Sections 294(b), 352, 355 and 506(i) IPC. 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 Petitions are 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.

5. Taking into consideration of the request as made by the learned counsel for the petitioner, the appearance of the petitioner before



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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.

23.04.2024

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order
trp

To

1. The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.

2. The Judicial Magistrate No.I, Kumbakonam

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



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A.A.NAKKIRAN, J.

Trp

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