

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.Nos.119 and 120 of 2017

1.Devarajan
2.Gajalakshmi
3.Pushpa

... Petitioners in Crl.R.C.No.119 f 2017/
Accused 1,10 & 11

1. Paramadhyalan
2.Dhamotharan

... Petitioners in Crl.R.C.No.120 of 2017/
Accused 3 & 9

Vs.

State by

The Inspector of Police
Central Crime Branch

Vepery, Chennai ... Respondents in both cases/Complainant

Crl.R.C.Nos.119 & 120 of 2017: Criminal Revision cases filed under section 397 and 401(1) Cr.P.C. To call for the records in Crl.MP.Nos.195 and 196 of 2017 in C.C.No.7142 of 2016 on the file of Metropolitan Magistrate, CCB-CBCID, Egmore at Allikulam, Chennai, dated 23.01.2017 in Crime No.42 of 2014 on the file of the respondent Police and set aside the dismissed of Crl.MP.No.195 and 196 of 2017 and permit the petitioners to the represented by their counsel till the disposal of the revision application.

For Petitioners: Mr.P.Kumaresan

For Respondent : Mr.M.Mohammed Riyaz, G.A(Crl.side)

W E B C O P Y
O R D E R

These revisions are preferred against the order of learned Metropolitan Magistrate, CCB-CBCID, Egmore at Allikulam, Chennai, passed in Crl.M.P.Nos.195 and 196 of 2017 in C.C.No.7142 of 2016 on 23.01.2017.

2. Petitioners and eight others face prosecution for offences u/s. 406,420,506(i) in case pending trial in C.C.No.7142 of 2016 on the file learned Metropolitan Magistrate,

Ccb-CBCID, Egmore at Allikulam, Chennai.

3. Learned counsel submits that summons have been received by the first petitioner in Crl.R.C.No.119 of 2017 on 21.01.2017 requiring his appearance before Court below on 23.01.2017. The petitioners 2 and 3/A10 and A11 were not available and summons had not been served directly upon them but the same had been received by the first petitioner on their behalf. Learned counsel submits that due to unavoidable circumstances the petitioners were absent. Learned counsel further submits that petitioners in Crl.R.C.No.120 of 2017 were unable to be present in Court owing to pressing official work. Court below has dismissed the petitions filed u/s. 317 Cr.P.C filed on behalf of the petitioners, hence these revisions.

4. Learned counsel submits that the petitioners will co-operate with the trial in the case.

5. Heard the learned Government Advocate (Crl.side) on the above submissions.

6. Learned Government Advocate (Crl.side) submits that the charge sheet filed in the case informs that the petitioners were absconding.

7. Though this court does not find much wrong in the order of the Court below, this Court, taking into consideration the submissions of the learned counsel that the petitioners would now co-operate in the conduct of the trial and as also the undertaking made on their behalf that they will present themselves before the Court below on 22.03.2017 considers it appropriate to permit them to do so by setting aside the order under challenge on condition that the first petitioner in Crl.R.C.No.119 of 2017 and the first petitioner in Crl.R.C.No.120 of 2017, each pays a sum of Rs.10,000/- to the credit of Tamilnadu State Legal Services Authority within a period of one week from the date of receipt of an copy of this order.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Metropolitan Magistrate, CCB-
CBCID, Egmore, At Allikulam, Chennai

2.The Inspector of Police
Central Crime Branch
Vepery, Chennai

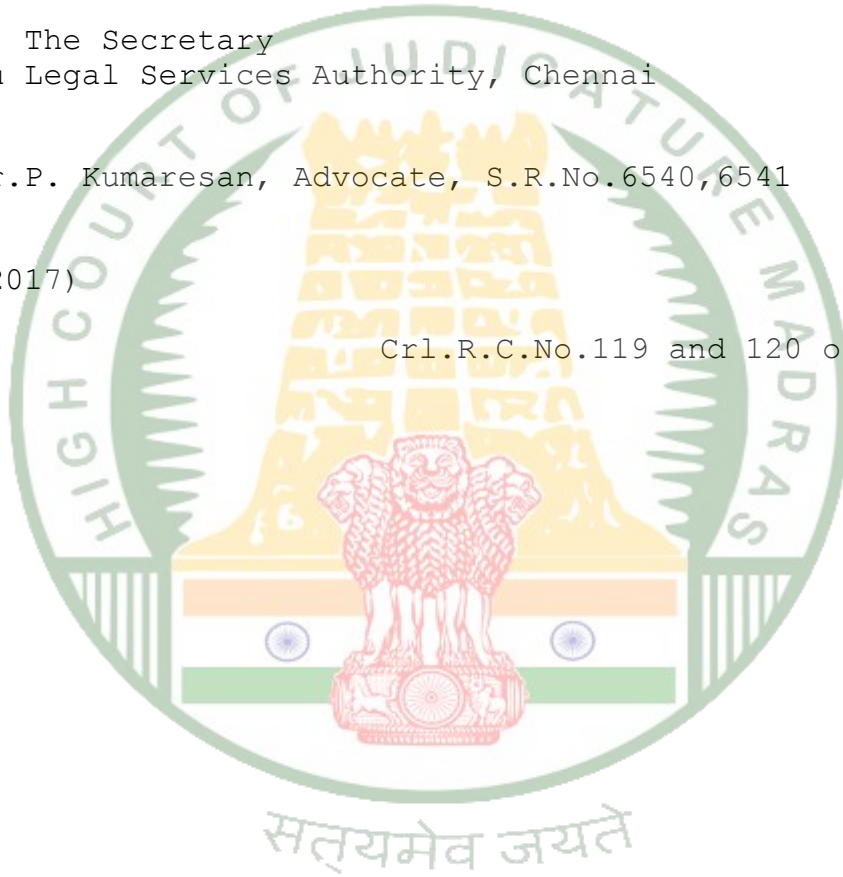
3.The Public Prosecutor
High Court, Madras

4 Copy to: The Secretary
Tamil Nadu Legal Services Authority, Chennai

+2cc to Mr.P. Kumaresan, Advocate, S.R.No.6540,6541

GJII(CO)
md(22/02/2017)

Crl.R.C.No.119 and 120 of 2017



WEB COPY