



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2018

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl. OP (MD)No.13038 of 2013
and
MP(MD)Nos.1 and 2 of 2013

A.Deivendran

... Petitioner

Vs.

Antony Savari Raj

... Respondent

Prayer : This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code to call for the records in S.T.C No.262 of 2012 pending on the file of the learned Judicial Magistrate Fast Track Court No.I, Madurai and quash the same.

For Petitioner : Mr.Karthick Kannan

For Respondent : No appearance

ORDER

The petitioner has filed this petition for quashing the proceedings in S.T.C No.262 of 2012 on the file of the Judicial Magistrate Fast Track Court No.I, Madurai. This is a case arising under Section 138 of the Negotiable Instruments Act. This Court is of the view that the grounds raised in this petition can very well be raised before the concerned Judicial Magistrate.

2.At this stage, the learned counsel appearing for the petitioner submitted that the relief of dispensing with the appearance of the petitioner can be given. This Court directs that the trial magistrate shall insist on the appearance of the petitioner herein only for answering the charges and at the time of examination of witnesses under Section 313 of Cr.PC and at the time of pronouncing judgement. Except the aforesaid occasions, on other hearing dates the petitioner can be permitted to be represented through counsel. It is made clear that all the defences available to the petitioner can be raised including the one covered by the decision of this Court in Crl OP(MD)No.11290 of 2013 dated 03.08.2017.



3. With this observation, this Criminal Original Petition is closed. Consequently, connected miscellaneous petitions are closed.

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/True Copy/

Sd/-

Assistant Registrar (W)

Sub Assistant Registrar

To

The Judicial Magistrate,
Fast Track Court No.1
Madurai.

+2CC to Mr.N.Karthik kanna Advocate in SR.No.63424.

SKM

DS/KKR/SAR-3 :18.05.2018: 2P/4C

Cr1. OP (MD) No.13038 of 2013
and
MP (MD) Nos.1 and 2 of 2013
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