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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

CrI.O.P.(MD)No.5419 of 2015
'and
M.P(MD)Nos.1 to 3 of 2015

Nethaji

... Petitioner/Accused

Vs.

T.M.Mariyappan

... Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the case in C.C.No.391 of 2014 on the file of the Judicial Magistrate, Shenkottai and quash the same.

For Petitioners : M/s.B.Brijesh Kishore

For Respondent : Mr.V.Sasikumar

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner is an accused in C.C.No.391 of 2014 on the file of the Judicial Magistrate, Shenkottai. The petitioner herein raised very many contentions. But then, these are the points to be established during the regular trial before the Court below and they are not sufficient for invoking the inherent powers of this Court.

3. Therefore, leaving open all the contentions of the petitioner, this Criminal Original petition stands dismissed. However, the personal appearance of the petitioner before the Court below is dispensed with.

4. The learned trial Magistrate shall insist on the personal appearance of the petitioner only when it is absolutely necessary and imperative. The petitioner shall be called upon to appear in person before the trial Court at the time of answering the charges and at the time of examination under Section 313 of Cr.P.C., and at the time of pronouncement of Judgment. On all other occasions, the



petitioner can be represented through his counsel. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

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// True Copy //

Sub Assistant Registrar(CS)

pmu

To:

The Judicial Magistrate, Shenkottai.

+1 CC to Mr.V.SASI KUMAR, Advocate (SR-90595[F] dated 01/10/2019)

+1 CC to Mr.B. BRIJESH KISHORE, Advocate (SR-90664[F] dated 01/10/2019)

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VB(11.12.2019) 2P 4C