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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE N.SATISH KUMAR

Crl.O.P.No.19826 of 2017

&

Crl.M.P.Nos.11955 & 11956 of 2017

1. Padmanabhan
S/o.Nataraja Pillai

2. Tamizh
S/o. Padmanaban

... Petitioners

Vs.

1. The State
Represented by the Inspector of Police,
District Crime Branch,
Thiruvallur.

2. S.Varadharajan

... Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C to quash the proceedings in C.C.No.112 of 2017 pending on the file of learned District Munsif-cum-Magistrate, Uthukottai.

For Petitioners : Mr.B.Manimaran

For Respondents : Mr.S.Vinoth Kumar
Government Advocate(Crl.side) for R1

: Mr.R.Karthikeyan for R2

ORDER

This petition has been filed to quash the proceedings C.C.No.112 of 2017 pending on the file of learned District Munsif-cum-Magistrate, Uthukottai for the offences under Sections 406, 420 and 506 IPC.

2. Heard the learned counsel for the petitioners, the



learned Government Advocate (Crl.side) appearing on behalf of the first respondent and learned counsel for the second respondent.

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3. Though several grounds have been raised in the complaint, the main contention put forth by the learned counsel for the petitioners is that the complaint has not been initiated by an Authorized person. Therefore, this Court posed a question with regard to the maintainability of the petition.

4. The learned counsel appearing for the petitioners fairly submitted that the petitioners are ready to face the trial and the petitioners' appearance before the Trial Court may be dispensed with.

5. Recording the submissions made by the learned counsel appearing for the petitioners, the presence of the petitioners before the trial Court is dispensed with, except for receiving copies, answering the charges, questioning under Section 313 Cr.P.C., or on any other date as may be required by the trial Court. The petitioners shall be represented by a counsel, who shall cross examine the witnesses on the same day, when they are examined in Chief.

6. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gpa/gba

To

1. The District Munsif cum Magistrate,
Uthukottai.
2. The Inspector of Police,
District Crime Branch,
Thiruvallur.



3. The Public Prosecutor,
High Court, Madras.

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+1cc to Mr.R.Karthikeyan, Advocate, S.R.No.63382

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PA (CO)
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