



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2021

CORAM :

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.4408 of 2021
and
Crl.M.P(MD)No.2476 of 2021

1.Subramanian
2.Duraisamy @ Antony Viyagappan
3.N.Maharajan
4.Viswanatha Nair
5.Sudheesh Kumar
6.Rajesh Kannan
7.Viswanathan

... Petitioners/Accused

Vs.

1.The State rep. by
The Inspector of Police,
Surandai Police Station,
Surandai,
Tirunelveli District.
(Crime No.69 of 2020)

2.Ganesan ... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the Orders, dated 14.12.2020 passed in Cr.M.P.No.2715 of 2020 in P.R.C.No.8 of 2019 by the Judicial Magistrate, Alangulam, Tenkasi District.

For Petitioners : Mr.S.Saji Bino

For 1st Responden : Mr. A.Robinson
Government Advocate (Criminal Side)

ORDER

The present petition is filed by the accused in P.R.C.No.8 of 2019 to set aside the Orders, dated 14.12.2020 passed by the Judicial Magistrate, Alangulam, Tenkasi District, on the petition filed by the petitioners/Accused 5 to 7, 9 and 12, under Section 317 of the Code of Criminal Procedure.

2. The learned Judicial Magistrate, Alangulam, has observed that the reason stated in the petition is not satisfactory for dispensing with the appearance of the petitioner on 14.12.2020 and



therefore, dismissed the petition. Subsequently, the Judicial Magistrate, Alangulam, issued a Non-Bailable Warrant against the present petitioners.

3.It is seen from the records that P.R.C.No.8 of 2019 is pending for more than two years and in the circumstances, I do not find any reason to set aside the orders passed by the Judicial Magistrate, Alangulam, Tenkasi District.

4.Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To

- 1.The Judicial Magistrate,
Alangulam,
Tenkasi District,
- 2.The Inspector of Police,
Surandai Police Station,
Surandai,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.SAJI BINO, Advocate (SR-13397[F] dated 24/03/2021)

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