



WEB COPY



CRL.O.P.Nos.24782 & 24155 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2023

CORAM:

THE HON'BLE Ms.JUSTICE R.N.MANJULA

Crl.O.P.Nos.24782 & 24155 of 2021

and

Crl.MP.Nos. 13322, 13323, 13668 & 13670 of 2021

Crl.O.P.No.24782 of 2021

A.Balaji

..
Versus

Petitioner/A4

1.The State Rep. by
Inspector of Police,
Kanchirapalayam Police Station,
Kallakurichi District.
(crime No.49 / 2019)

...Respondent/ Complainant

2.S.Selvi

.. Respondent/Defacto complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in P.R.C.No.6/2019 on the file of the Judicial Magistrate-I, Kallakurichi and quash the same.

Crl.O.P.No.24155 of 2021

A.Balaji

.. Petitioner/A4

Versus

1.The State Rep. by



CRL.O.P.Nos.24782 & 24155 of 2021

Inspector of Police,
Kanchirapalayam Police Station,
Kallakurichi District.
(crime No.712 / 2018)

2.V.Kannaki

...Respondent/ Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in P.R.C.No.7/2019 on the file of the Judicial Magistrate-I, Kallakurichi and quash the same.

For Both cases

For Petitioner	:	Mr. K.Krishna
For Respondent-1:		Mr.A.Gopinath
		Government Advocate (crl.side)
For Respondent-2:		No appearance

COMMON ORDER

These Criminal Original Petitions have been filed to quash the proceedings in P.R.C.Nos.6 & 7/2019 on the file of the Judicial Magistrate-I, Kallakurichi.

2.Heard the submissions made by the learned counsel on either side and perused the materials available on record.

3. The learned Government Advocate (crl.side) for the first



respondent submitted that the cases have been committed to the Sessions Court and got numbered. Therefore the petitions which have been filed to quash the proceedings in P.R.C.Nos.6 & 7/2019 on the file of the Judicial Magistrate-I, Kallakurichi has become infructuous and hence it is liable to be dismissed.

4. However, the learned counsel for the petitioner submitted that the petitioner who is a daily wager and it is not possible to appear before the Court each and every hearing and hence the personal appearance may be dispensed.

5. Though it is possible for the petitioner to file 317 petition to condone his absence, the learned counsel for the petitioner submitted that the petitioner is poor and he is not able to spend even for filing frequent petitions.

6. Considering the request made by the learned counsel for the petitioner, the personal appearance of the petitioner in Crl.MP.Nos.13323 & 13670/2021 is dispensed with, unless it is required by the learned Magistrate for any specific reason during any stage of the proceedings.



CRL.O.P.Nos.24782 & 24155 of 2021

In the result, the Criminal Original Petitions stand **dismissed** as

Infructuous. Consequently, the miscellaneous petitions in Crl.MP.Nos.13322

&13668/2021 are closed.

01.03.2023

Index: Yes/No

jrs



CRL.O.P.Nos.24782 & 24155 of 2021

To:

1.The Inspector of Police,
Kanchirapalayam Police Station,
Kallakurichi District.

2.The Public Prosecutor,
High Court, Madras.



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CRL.O.P.Nos.24782 & 24155 of 2021

R.N.MANJULA, J.,

jrs

Crl.O.P.Nos.24782 & 24155 of 2021
and
Crl.MP.Nos. 13322, 13323, 13668 & 13670 of 2021

01.03.2023