



Crl.O.P.No.28896/2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2023

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.O.P.No.28896 of 2017

&

Crl.M.P.No.16342 of 2017

Yuvaraj

...

Petitioner

Vs.

1. State, represented by
Inspector of Police,
Central Crime Branch,
Coimbatore
Cr.No.70 of 2014

2. Madhusudanan
Respondents

....

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records and quash the charge sheet in C.C.No.391 of 2017 pending disposal on the file of this Judicial Magistrate No.VI, Coimbatore.

For Petitioner

: Mr.R.Vivekananthan
for Mr.S.Senthil Murugan

For Respondents

: Mr.L. Baskaran
Government Advocate (Crl.side)-R1



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Crl.O.P.No.28896/2017

R2- not ready in notice

ORDER

This Criminal Original Petition is filed to call for the records and quash the charge sheet in C.C.No.391 of 2017 pending disposal on the file of this Judicial Magistrate No.VI, Coimbatore.

2. The respondent police prosecuted the petitioner along with other two other accused in Cr.No.70 of 2014 for the offence under sections 120 B, 408, 409 and 420 IPC. On filing final report, the case was taken on file in C.C.No.391 of 2017 on the file of Judicial Magistrate VI, Coimbatore.

3. Learned counsel for the petitioner submitted that there is no materials to tag the petitioner in the alleged offence and in the absence of any material, against the petitioner, the criminal proceedings would not be continued. However, he fairly conceded that he may be permitted to raise all his defence before the trial court and he further seeks to dispense with the personal appearance of the petitioner before the court.



Crl.O.P.No.28896/2017

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4. The learned Govt. Advocate (crl.side) appearing for the 1st respondent submitted that the trial is pending.

5. Heard the learned counsel appearing for the petitioner and the learned Govt. Advocate (crl.side) appearing for the 1st respondent.

6. Considering the submissions of the learned counsel for the petitioner, this Criminal Original Petition is closed with liberty to the petitioner to raise all his defence before the trial court. Further his personal appearance before the trial court is hereby dispensed with on condition that he should appear before the trial court for further proceedings whenever required by the trial court. Consequently, the connected miscellaneous petition is closed.

Index: Yes/No
Internet: Yes/No
msr

06.07.2023



Crl.O.P.No.28896/2017

To
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1. The Inspector of Police,
Central Crime Branch,
Coimbatore.
2. The Judicial Magistrate No.VI, Coimbatore.
3. The Public Prosecutor, Madras High Court.



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Crl.O.P.No.28896/2017

V.SIVAGNANAM, J.

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