



Crl.O.P.(MD)No.2293 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.2293 of 2023

and

Crl.M.P(MD) Nos.2046 and 2047 of 2023

Rathina Sankar

... Petitioner/4th Accused

Vs.

1. The Inspector of Police,
District Crime Branch,
Thoothukudi District.
Thoothukudi.
Crime No.19 of 2015.

...1st Respondent/
Complainant/Complainant

2. Karukkuvel

... 2nd Respondent/ List of
Witness No.1/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in pursuant to the Charge Sheet in C.C.No.588 of 2017 on the file of the Judicial Magistrate No.IV, Thoothukudi, Thoothukudi District in Crime No.19 of 2015 on the file of the 1st Respondent and so far as the Petitioner is concerned.



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For Petitioner : Mr. Muthumalai Raja S

For R1 : Mr.S.Manikandan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records in pursuant to the Charge Sheet in C.C.No.588 of 2017 on the file of the Judicial Magistrate No.IV, Thoothukudi, Thoothukudi District, in Crime No.19 of 2015 on the file of the 1st Respondent and so far as the Petitioner is concerned.

2. The learned counsel for the petitioner would submit that he would be satisfied if dispense with personal appearance of the petitioner before the concerned trial Court is ordered.

3. Considering the submission made by the learned counsel for the petitioner and considering that the petitioner is working as Deputy Tahsildar, his personal appearance before the concerned trial Court is dispensed on the following condition;



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(i)The petitioner shall appear before the Judicial Magistrate No.IV, Thoothukudi, within a period of 15 days from the date of receipt of a copy of this order and file an undertaking affidavit, by affixing his recent passport size photograph, to the effect that he will appear before the trial Court as and when required and must ensure his proper representation through Advocate.

4. Another request of the learned counsel for the petitioner is that considering the oldness of the matter, direction may be issued to the trial Court to expedite the trial process and complete the same within the time stipulated.

5. The learned Government Advocate (Crl. Side) would submit that the first accused is reported to be dead and the warrant issued against the second accused was recalled on 29.03.2023 and the next hearing date for appearance of the accused is 26.06.2023.

6. Considering the oldness of the matter, there shall be a direction to the learned Judicial Magistrate No.IV, Thoothukudi, to dispose the



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same within five months from the date of receipt of copy of this order.

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7. With the above said direction, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petitions are closed.

07.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Indu

To

- 1.The learned Judicial Magistrate No.IV,
Thoothukudi.
- 2.The Inspector of Police,
District Crime Branch,
Thoothukudi District.
Thoothukudi.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

G.ILANGOVAN,J.



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Order made in
Crl.O.P.(MD)No.2293 of 2023

Dated: 07.06.2023