



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **06.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.9684 of 2023

and

Crl.M.P(MD) Nos.7782 and 7783 of 2023

1. M.Saravanan

2. M.Panneerselvam

... Petitioners/Accused Nos.1 & 6

Vs.

1. The State, represented by
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
Crime No.433 of 2019.

...Respondent No.1/Complainant

2. Baskaran

...Respondent No.2/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned Charge Sheet in CC.No.249 of 2021 on the file of the Learned Judicial Magistrate No.II, Thanjavur and quash the same as against the Petitioners.

For Petitioners : Mr. Malaiyendran V

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor



WEB COPY

Crl.O.P.(MD)No.9684 of 2023



ORDER

This Criminal Original Petition has been filed to call for the records relating to the impugned Charge Sheet in C.C.No.249 of 2021 on the file of the Learned Judicial Magistrate No.II, Thanjavur and quash the same as against the Petitioners.

2. After hearing both sides counsel, this Court is not inclined to quash the C.C.No.249 of 2021 pending on the file of the learned Judicial Magistrate No.II, Thanjavur.

3. At this juncture, the learned counsel for the petitioner would submit that he would be satisfied if the petition for dispense with of personal appearance of the petitioners before the concerned trial Court is disposed.

4. This Court is not inclined to pass orders with regard to quashing of above said C.C., but however, considering the age of the first petitioner and taking into account of the allegation made against the first petitioner, his personal appearance before the concerned trial Court is dispensed with on the following condition;



WEB COPY

(i)The first petitioner shall appear before the learned Judicial Magistrate No.II, Thanjavur, 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.

5. So far the second petitioner is concerned, he is directed to appear before the concerned trial Court regularly.

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

06.06.2023

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

Indu



WEB COPY



Crl.O.P.(MD)No.9684 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The learned Judicial Magistrate No.II,
Thanjavur.
- 2.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.9684 of 2023

06.06.2023