



WEB COPY

CrI.O.P.(MD)No.10691 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.06.2023**

CORAM:

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

CrI.O.P.(MD)No.10691 of 2023
and CrI.M.P(MD).Nos.8517 and 8520 of 2023

Killivalavan

... Petitioner

Vs.

1.The State rep.

The Inspector of Police,
Budalur Police Station,
Budalur,
Thanjavur District.

2.Arulmurugan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in C.C.No.114 of 2023 on the file of the Judicial Magistrate Court, Thiruvaiyaru and quash the same as against the petitioner.

For Petitioner
For R1

: Mr.G.Karnan
: Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records relating to the proceedings in C.C.No.114 of 2023 on the file of



the Judicial Magistrate Court, Thiruvaiyaru and quash the same as against the petitioner.

2. After hearing both sides counsel, considering the gravity of the offence, this Court is not inclined to quash the C.C.No.114 of 2023 on the file of the Judicial Magistrate Court, Thiruvaiyaru.

3. At this juncture, 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, since the petitioner is living in Chennai and he is aged about 75 years.

4. This Court is not inclined to allow this Criminal Original Petition, but however, considering the submission made by the learned counsel for the petitioner and considering the age of the petitioner, his personal appearance before the concerned trial Court is dispensed with on the following condition without going into other aspects;

(i)The petitioner shall appear before the Judicial Magistrate Court, Thiruvaiyaru, 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



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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. With the above said direction, this Criminal Original Petition is disposed of. Consequently, connected CrI.M.P(MD).No.8520 of 2023 is allowed and CrI.O.P(MD).No.8517 of 2023 is closed.

19.06.2023

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

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To

- 1.The Inspector of Police,
Budalur Police Station,
Budalur,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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