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Crl.O.P.(MD)No.10696 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.06.2023**

CORAM:

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

Crl.O.P.(MD)No.10696 of 2023

and

Crl.M.P(MD) Nos.8525 and 8527 of 2023

Shanmuga Rajan

... Petitioner

Vs.

1.State rep. by
The Sub-Inspector of Police,
Bazaar Police Station,
Ramanathapuram,
Ramanathapuram District.

2.Satheeskumar

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned charge sheet in C.C.No.67 of 2021 on the file of the Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District and quash the same as illegal as against the petitioner/accused.

For Petitioner	: Mr.L.Jeen Felix
For R1	: Mr.B.Nambiselvan
	Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the impugned charge sheet in C.C.No.67 of 2021 on the file of the Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District and quash the same as illegal as against the petitioner/accused.

2. After hearing both sides counsel, considering the gravity of the offence, this Court is not inclined to quash the C.C.No.67 of 2021 on the file of the Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District.

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 and he has also prays for speedy disposal of the trial process.

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 No.I, Ramanathapuram, Ramanathapuram District, 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.

(ii) there shall be a direction to the learned Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District, to complete the trial and dispose of the case in C.C.No.67 of 2021 within a period of five months from the date of receipt a copy of this order.

5. With the above said direction, this Criminal Original Petition is disposed of. Consequently, connected Crl.M.P(MD).No.8527 of 2023 is allowed and Crl.M.P(MD).No.8525 of 2023 is closed.

19.06.2023

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

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1. The Judicial Magistrate No.I,
Ramanathapuram,
Ramanathapuram District.
- 2.The Sub-Inspector of Police,
Bazaar Police Station,
Ramanathapuram,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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