



Crl.O.P.(MD)No.20480 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.20480 of 2023

and

Crl.M.P.(MD).Nos.16019 and 16022 of 2023

1.P.Vellaisamy

2.Ramasamy

3.Dhavamani

... Petitioners

Vs.

1.The Inspector of Police,
Ulagampatty Police Station,
Pudukkottai District.

... 1st Respondent/Complainant

2.P.Subbaiah

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in pursuant of the final report in F.R.No.46 of 2023 in C.C.No.unnumbered of 2023 on the file of the Judicial Magistrate Court, Singampunari, Sivagangai District in Crime No.11 of 2023 on the file of the first respondent and quash the same.

For petitioners : Mr.S.Muthu Malai Raja

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)



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ORDER

This petition has been filed seeking to quash the final report in F.R.No.46 of 2023 in C.C.No.unnumbered of 2023 on the file of the Judicial Magistrate Court, Singampunari, Sivagangai District in Crime No.11 of 2023 on the file of the first respondent.

2. After hearing both sides counsel, considering the gravity of the offence, this Court is not inclined to quash the final report in F.R.No.46 of 2023 in C.C.No.unnumbered of 2023 on the file of the Judicial Magistrate Court, Singampunari, Sivagangai District in Crime No.11 of 2023 on the file of the first respondent.

3. At this juncture, the learned counsel for the petitioners would submit that he would be satisfied if dispense with personal appearance of the petitioners before the concerned trial Court is ordered, since the petitioners are aged persons.

4. This Court is not inclined to allow this Criminal Original Petition, but however, considering the submission made by the learned counsel for the petitioners and considering the age of the petitioners,



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their personal appearance before the concerned trial Court is dispensed with on the following condition without going into other aspects;

(i)The petitioners shall appear before the Judicial Magistrate Court, Singampunari, Sivagangai 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 their recent passport size photograph, to the effect that they will appear before the trial Court as and when required and must ensure their proper representation through Advocate.

5. With the above said direction, this Criminal Original Petition is disposed of. Consequently, connected Crl.M.P(MD).No.16022 of 2023 is allowed and Crl.O.P(MD).No.16019 of 2023 is closed.

16.11.2023

Index : Yes/No
Internet : Yes/No
vsg



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To

- 1.The Judicial Magistrate Court,
Singampunari, Sivagangai District.
- 2.The Inspector of Police,
Ulagampatty Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

vsg

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