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CrI.O.P.(MD)No.20475 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD) No.20475 of 2023

and

CrI.M.P.(MD).Nos.16013 and 16016 of 2023

- 1.Karuppaiah
 - 2.Sankar @ Ravisankar
 - 3.Dhineshpandian @ Dhineshpandi
 - 4.Kasiviswanathan
 - 5.Viswanathan
 - 6.Satheesh @ Sathishkumar
 - 7.Rajendran
 - 8.Balasingam @ Balasivalingam
 - 9.Bose
 - 10.Prabhu
- ... Petitioners

Vs.

- 1.The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District. ... 1st Respondent/Complainant
- 2.Chinnaraja
... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the Charge sheet in C.C.No.41



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of 2023 pending on the file of the Judicial Magistrate Court, Devakottai,
and quash the same as illegal in so far as the petitioners are concerned.

For petitioners : Mr.M.Karunakaran

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

ORDER

This petition has been filed seeking to quash the Charge sheet in C.C.No.41 of 2023 pending on the file of the Judicial Magistrate Court, Devakottai.

2. After hearing both sides counsel, considering the gravity of the offence, this Court is not inclined to quash the C.C.No.41 of 2023 on the file of the Judicial Magistrate Court, Devakottai.

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 1 and 7 to 9 are aged about 70 years.

4. This Court is not inclined to allow this Criminal Original Petition, but however, considering the submission made by the learned



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counsel for the petitioners and considering the age of the petitioners 1 and 7 to 9, their personal appearance before the concerned trial Court is dispensed with on the following condition without going into other aspects;

(i)The petitioners 1 and 7 to 9 shall appear before the Judicial Magistrate Court, Devakottai, 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.16016 of 2023 is allowed in respect of the petitioners 1 and 7 to 9 and Crl.O.P(MD).No. 16013of 2023 is closed.

16.11.2023

Index : Yes/No
Internet : Yes/No
vsg



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To

1. The Judicial Magistrate Court,
Devakottai.
2. The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGOVAN. J.

vsg

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