



Crl.O.P.(MD).No.22416 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:13.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.22416 of 2023
and Crl.M.P.(MD).No.17517 of 2023

1. R.Jesuraj
 2. Pushpabai
 3. Dhas @ Jesudhas
 4. J.Shem
- ... Petitioners

Vs.

- 1.The State rep by
Sub Inspector of Police,
Theni Police Station,
Theni District.
(In Crime No.1504 of 2015)
 - 2.Vellathaiyammal
- ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in pursuant to the charge sheet in CC.No.478/2023 on the file of the Judicial Magistrate, Theni in Crime No.1504/2015 on the file of the Sub Inspector of Police, Theni Police Station, Theni District, and quash the same.



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For Petitioners : Mr.V.Rajasundar
For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed to call for the records in pursuant to the charge sheet in CC.No.478/2023 on the file of the Judicial Magistrate, Theni in Crime No.1504/2015 on the file of the Sub Inspector of Police, Theni Police Station, Theni District, and quash the same.

2. The learned counsel for the petitioners would submit that though the petitioners sought to quash the proceedings pending against them, now he would restrict his prayer. Also submitted that the petitioners will be satisfied if their personal appearance before the trial Court is dispensed with.

3. Therefore, without going into the merits of this case, this criminal original petition is dismissed. Consequently, connected



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miscellaneous petition is closed. However, considering the submissions made by the learned counsel for the petitioners, the fourth petitioner herein must appear before the trial Court and also by considering the age of the petitioners 1 to 3, their personal appearance is dispensed with before the trial Court is dispensed with the following condition:

(i)The petitioners 1 to 3 shall appear before the learned Judicial Magistrate, Theni, 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.

4. Considering the oldness of the crime, there shall be a direction to the trial Court to complete the committal process in the above said case in C.C.No.478 of 2023, within a period of five months from the date of receipt of a copy of this order.



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5. With the above said directions, this criminal original petition stands disposed of. Consequently, connected miscellaneous petition is closed.

13.12.2023

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

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To

- 1.The Judicial Magistrate, Theni.
- 2.The Sub Inspector of Police,
Theni Police Station,
Theni District.
(In Crime No.1504 of 2015)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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