



WEB COPY

Crl.O.P.(MD)No.21563 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.21563 of 2023
and
Crl.M.P.(MD) No.16849 & 16850 of 2023

Nagarajan

... Petitioner/Accused No.2

Vs.

1.The State rep by
The Inspector of Police,
Nerkuppai Police Station,
Sivgangai District.
(Crime No.11 of 2015)

...1st Respondent/Complainant

2.The Passport Officer,
Government of India,
Ministry of External Affairs,
Passport Office, Bharathi Ula Veethi,
Race Course Road,
Madurai-625 002.

...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 impugned Charge Sheet in C.C.No.46 of 2023 on the file of the learned District Munsif cum Judicial Magistrate Court, Singampuneri, and quash the same.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)



ORDER

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This Criminal Original Petition is filed to call for the records relating to the impugned Charge Sheet in C.C.No.46 of 2023 on the file of the learned District Munsif cum Judicial Magistrate Court, Singampuneri, and quash the same.

2. After hearing both sides counsel, this Court is not inclined to quash the C.C.No.46 of 2023 pending on the file of the learned District Munsif cum Judicial Magistrate Court, Singampuneri.

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

4. This Court is not inclined to allow this Criminal Original Petition. But however, without going into merits of the case, considering the submission made by the learned counsel for the petitioner, the petitioner's personal appearance before the concerned trial Court is dispensed with on the following conditions;



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(i)The petitioner shall appear before the learned District Munsif cum Judicial Magistrate Court, Singampuneri, 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.

5. With the above said direction, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

30.11.2023

Index : Yes/No
Internet : Yes/No
Indu



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To

1. The Inspector of Police,
Nerkuppai Police Station,
Sivgangai District.
2. The Passport Officer,
Government of India,
Ministry of External Affairs,
Passport Office, Bharathi Ula Veethi,
Race Course Road,
Madurai-625 002.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN. J.

Indu

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