



CrI.O.P.(MD)No.21525 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **30.11.2023**

CORAM:

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

CrI.O.P.(MD) No.21525 of 2023
and
CrI.M.P.(MD) No.16831 & 16832 of 2023

M.Francisraja

... Petitioner/Sole Accused

Vs.

1.The State Rep.by
The Inspector of Police,
Virudhunagar Bazaar Police Station,
Virudhunagar,
Virudhunagar District.
(Crime No.42 of 2023)

...1st Respondent/Complainant

2.Loganayagi

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the proceedings in C.C No.427 of 2023 pending on the file of the learned Judicial Magistrate Court No.I, Virudhunagar, Virudhunagar District, and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.D.Rajaboopathy

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (CrI.side)



ORDER

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This Criminal Original Petition is filed to call for the entire records pertaining to the proceedings in C.C No.427 of 2023 pending on the file of the learned Judicial Magistrate Court No.I, Virudhunagar, Virudhunagar District, and quash the same as far as the petitioner is concerned.

2. After hearing both sides, this Court is not inclined to quash the C.C No.427 of 2023 pending on the file of the learned Judicial Magistrate Court No.I, Virudhunagar, Virudhunagar District.

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, 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 conditions;



(i) The petitioner shall appear before the learned Judicial Magistrate Court No.I, Virudhunagar, Virudhunagar 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.

5. Let the above said trial process be completed within a period of six months from the date of receipt of copy of this order.

6. 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

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G.ILANGOVAN. J.

Indu

To

- 1.The Inspector of Police,
Virudhunagar Bazaar Police Station,
Virudhunagar,
Virudhunagar District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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