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Crl.R.C.No.470 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 26.07.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**Crl.R.C.No.470 of 2024 and  
Crl.M.P.No.4506 of 2024**

S.Periyasamy

... Petitioner

Vs.

1.The State Rep.by  
The Inspector of Police,  
Anti Land Grabbing Special Cell,  
Perambalur.

2.Nallu

... Respondents

**PRAYER :** Criminal Revision filed under Section 397 r/w Section 401 of the code of Criminal Procedure, 1973 to call for the records pertaining to the order passed by the learned Judicial Magistrate No.I, Perambalur in C.M.P.No.6299 of 2023 (Original C.M.P.No.543 of 2020) in C.C.No.252 of 2023 (Original C.C.No.350 of 2019) dated 21.08.2023 and set aside the same.

For Petitioner : Mr.G.Ilamurugu

For R1 : Mr.A.Gopinath  
Government Advocate (Crl.Side)



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### **ORDER**

This criminal revision case has been filed to set aside the order dated 21.08.2023 made in C.M.P.No.6299 of 2023 (Original C.M.P.No.543 of 2020) in C.C.No.252 of 2023 (Original C.C.No.350 of 2019) on the file of the learned Judicial Magistrate No.I, Perambalur.

2. The petitioner has filed a petition u/s 245 of Cr.P.C. seeking to discharge him from the charges under Sections 120(B), 419, 420, 423, 465, 467, 468 and 471 IPC before the learned Judicial Magistrate No.I, Perambalur, which was dismissed by the trial Court vide impugned order, dated 21.08.2023. Challenging the same, the petitioner has filed the present revision.

3. Though very many grounds have been raised by the petitioner against the order impugned, however, when the matter is taken up for hearing today, the learned counsel appearing for the petitioner submitted



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that the petitioner would contest the case before the trial Court and this Court, without going into the merits of the case may dispense with the appearance of the petitioner before the trial court.

4. Though such a prayer has been sought for, however, it is to be pointed out that the presence of the petitioner cannot be dispensed with in toto. In such view of the matter, this Court, without going into the merits of the case, directs that the appearance of the petitioner before the trial court is dispensed with except for his appearance for the purpose of receiving copies u/s.207 and questioning under Section 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioner is necessary, the trial court, at its wisdom, shall direct his appearance on those days. The trial Court is directed to dispose of C.C.No.252 of 2023 (Original C.C.No.350 of 2019) within a period of six months from the date of receipt of a copy of this order.



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5. Accordingly, this Criminal Revision Case is dismissed.

Consequently, connected miscellaneous petition is closed.

**26.07.2024**

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

ssb

To

1. The learned Judicial Magistrate No.I, Perambalur.

2. The Inspector of Police,  
Anti Land Grabbing Special Cell,  
Perambalur.

3. The Public Prosecutor,  
Madras High Court.



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**M.DHANDAPANI, J.**

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**26.07.2024**