



Crl.RC.No.219 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2024

CORAM:

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

Crl.RC.No.219 of 2022
and
Crl.M.P.No.2262 of 2022

1. V.K.P.Lakshmi Narayanan
2. M.Dinesh
3. Udaya @ Udayakumar
4. Raju

...Petitioners

Vs.

1. State of Tamil Nadu
Rep. by Deputy Superintendent of Police,
Economic Offences Wing-II,
Chennai.
2. G.Purushoththaman
R-2 impleaded as per order dated
28.06.2023 in Crl.M.P.No.8959 of 2023
in Crl.R.C.No.219 of 2022

...Respondents

Petition filed under Section 397 r/w 401 of Code of Criminal Procedure to set aside the order dated 03.01.2022 passed by the learned Special Judge, Special Court under TNPID Act, Chennai in Crl.M.P.No.79/2019, thereby dismissing the discharge petition filed by the above petitioners in C.C.No.119/2013 pending on the file of the learned



Crl.RC.No.219 of 2022

Special Judge, Special Court under TNPID Act, Chennai.

For Petitioners : Mr.R.Baskar

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

ORDER

This Criminal Revision Case is filed to set aside the order dated 03.01.2022 passed by the learned Special Judge, Special Court under TNPID Act, Chennai in Crl.M.P.No.79/2019, thereby dismissing the discharge petition filed by the above petitioners in C.C.No.119 of 2013 pending on the file of the learned Special Judge, Special Court under TNPID Act, Chennai.

2. The petitioners have filed a discharge petition u/s 227 of Cr.P.C. to discharge him from the charges levelled against him, before the Special Judge, Special Court under TNPID Act, Chennai in Crl.M.P.No.79/2019 in C.C.No.119 of 2013, which was dismissed vide impugned order, dated 03.01.2022. Challenging the same, the petitioners have filed the present revision.

3. Though very many grounds have been raised by the petitioners



Crl.RC.No.219 of 2022

against the order impugned, however, when the matter is taken up for hearing today, the learned counsel appearing for the petitioners submitted that the petitioners would contest the case and this Court, without going into the merits of the case may dispense with the appearance of the petitioners 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 petitioners 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 petitioners 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 petitioners is necessary, the trial court, at its wisdom, shall direct their appearance on those days.

M.DHANDAPANI, J.

rap



Crl.RC.No.219 of 2022

WEB COPY 5. Accordingly, this Criminal Revision Case is dismissed.

Consequently, connected miscellaneous petition is closed.

18.07.2024

1/3

rap

Index : Yes/No

Speaking order : Yes/No

NCC : Yes/No

To

1. The Deputy Superintendent of Police,
Economic Offences Wing-II,
Chennai.

2. The Special Judge, Special Court under TNPID Act, Chennai

3. The Public Prosecutor
High Court, Madras.

Crl.RC.No.219 of 2022