



Crl.RC.No.413 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2024

CORAM:

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

Crl.RC.No.413 of 2022
and
Crl.M.P.Nos.4181 and 4182 of 2022

R.Chandrashekar

...Petitioner

Vs.

1. State of Tamil Nadu
Rep. by Deputy Superintendent of Police,
Economic Offences Wing-II,
Chennai.

2. R.Ramya
R-2 impleaded as per order dated
28.06.2023 in Crl.M.P.No.8961 of 2023
in Crl.R.C.No.413 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, dismissing the discharge petition filed by the petitioner in Crl.M.P.No.1961 of 2016 in C.C.No.22 of 2013.

For Petitioner : Mr.R.Baskar

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



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ORDER

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This Criminal Revision Case is filed to set aside the order dated 03.01.2022 passed in Crl.M.P.No.1961 of 2016 in C.C.No.22 of 2013 pending on the file of the learned Special Judge, Special Court under TNPID Act, Chennai and to discharge the petitioner from the said case.

2. The petitioner has filed a discharge petition u/s 227 of Cr.P.C. to discharge him from the charges levelled against him, before the learned Special Judge, Special Court under TNPID Act, Chennai in Crl.M.P.No.1961 of 2016 in C.C.No.22 of 2013, which was dismissed vide impugned order, dated 03.01.2022. 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 that the petitioner would contest the case and this Court, without going into the merits of the case may dispense with the appearance of the petitioner before the trial court.



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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.

5. In view of the order passed in Crl.R.C.413 of 2022, no order needs to be passed in Crl.M.P.No.4182 of 2022 filed seeking to dispense with the personal appearance of the petitioner. Accordingly, the Crl.M.P.No.4182 of 2022 stands closed.

6. Accordingly, this Criminal Revision Case is dismissed. Consequently, connected criminal miscellaneous petition is closed.



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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.

M.DHANDAPANI, J.

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